



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:44 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN TODD NIGRO, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., STEVE SWANTON – PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

MINUTES:

GARY LEOBOLD, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 16 [GPA-5266]	STRICKEN
Item 20 [GPA-5820]	Abeyance to 2/10/2005 Planning Commission Meeting
Item 28 [GPA-5762]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 29 [ZON-5765]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 30 [GPA-5775]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 31 [ZON-5776]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 32 [VAR-5846]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 33 [SDR-5778]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 42 [GPA-5814]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 43 [ZON-5816]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 44 [VAR-5819]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 45 [SDR-5815]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 46 [GPA-5818]	Withdrawn Without Prejudice
Item 47 [ZON-5824]	Withdrawn Without Prejudice
Item 48 [ZON-5909]	Withdrawn Without Prejudice
Item 52 [MOD-5784]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 53 [ZON-5785]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 54 [VAR-5786]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 55 [VAR-5792]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 56 [SDR-5781]	Abeyance to 2/24/2005 Planning Commission Meeting

Item 58 [ZON-5769]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 59 [SDR-5770]	Abeyance to 2/24/2005 Planning Commission Meeting
Item 70 [SUP-5783]	Withdrawn Without Prejudice
Item 71 [SDR-5779]	Withdrawn Without Prejudice
Item 73 [SUP-5740]	Withdrawn Without Prejudice
Item 89 [DIR-5833]	STRICKEN

Regarding Item 6 [GPA-5830], this item was included, in error, with the One Motion/One Vote items and would need to be pulled so a discussion could take place.

Regarding Item 10 [RQR-5733], this item would need to be pulled from the One Motion/One Vote, as staff received objections to this application.

Regarding Item 24 [SDR-5599], the applicant requested Condition 3 be deleted and Condition 4 be amended.

Regarding Item 27 [SDR-5614], Condition 2 would need to be deleted.

Regarding Item 84 [SDR-5780], Condition 12 would need to be deleted.

DEPUTY CITY ATTORNEY BRYAN SCOTT, requested that Item 78 [SUP-5904] be heard after the One Motion/One Vote items. CHAIRMAN NIGRO concurred with the request. DEPUTY CITY ATTORNEY SCOTT added that in April 2000, a Special Use Permit was granted for a tavern on this site. At that time, the City Attorney's Office recommended that the City Council consider prohibiting the tavern permit because of the 1,500-foot distance separation requirement between taverns. The City Council did not concur and determined that they would not include County taverns in affecting the 1,500-foot distance separation requirement for taverns wishing to locate within the City of Las Vegas. To stay consistent with this policy, the City Attorney's Office requested that these taverns within the County not be applicable when determining whether or not the proposed tavern on this application meets the requirement.

MR. LEOBOLD reiterated for COMMISSIONER McSWAIN the items that were being pulled from One Motion/One Vote. She then requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote.

COMMISSIONER STEINMAN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote.

MEETING ADJOURNED AT 5:51 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN NIGRO.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN TODD NIGRO, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

GARY LEOBOLD, Planning and Development, reiterated the items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

GREG BORGEL, 300 S. 4th Street, representing the applicant on Item 70 [SUP-5783] and Item 71 [SDR-5779], stated he submitted a request letter to hold these two applications. In working with very cooperative and helpful residents, there are some additional changes that would be necessary. Rather than hold the items, the applicant would like to Withdraw Without Prejudice both applications and resubmit the application with the desired changes. MR. BORGEL then requested if there were additional residents in the audience who had interest in these applications to speak with him so their names could be added on to their list.

DAN MARKOFF, 4816 Martinelli Court, Las Vegas, NV, asked why Item 28 [GPA-5762] and Item 29 [ZON-5765] were being held in abeyance yet the residents in the area were not notified. MR. LEOBOLD responded that staff's recommendation on this application is for denial. As a result, the applicant is requesting a 30-day abeyance to have the opportunity to revise the project in hopes that it would be one that is acceptable to staff and the Commission. MR. MARKOFF also informed the Commission that the applicant has placed a large semi-truck trailer on the property. This area is residential, and the truck is an eyesore. CHAIRMAN NIGRO advised MR. MARKOFF to speak with staff to ensure this information is given to the appropriate individual or department.

VICE CHAIRMAN TRUESDELL stated that he would vote on Item 70 and Item 71, Withdraw Without Prejudice, but not when the items come forward. The general partner of the property owner is general partner in another partnership in which he has an interest.

COMMISSIONER McSWAIN stated that she would vote on the abeyance, tabled and withdrawn without prejudice items but would abstain when Item 28, Item 29, Item 30, Item 31, Item 32, Item 33, Item 42, Item 43, Item 44 and Item 45 come forward because her company, Terra Contracting, is under contract with the developers on these items.

VICE CHAIRMAN TRUESDELL motioned to bring forward the abeyance, tabled and withdrawn without prejudice items as read into record.

(6:01)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

SUBJECT:

Approval of the minutes of the December 16, 2004 Planning Commission Meeting

MOTION:

TRUESDELL – APPROVED – UNANIMOUS with DAVENPORT and McSWAIN abstaining as they were not present for the aforementioned meeting

MINUTES:

There was no discussion.

(6:02)

1-40



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-5536 - TENTATIVE MAP - WILLOWS @ LONE MOUNTAIN - APPLICANT: CHARTERED DEVELOPMENT - OWNER: WILLOWS LONE MOUNTAIN, LLC - Request for a Tentative Map FOR A 98-LOT CONDOMINIUM DEVELOPMENT on 4.57 acres at 3540 North Hualapai Way (APN 138-07-301-001), PD (Planned Development) Zone, Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-5536], Item 2 [TMP-5570], Item 3 [TMP-5777] and Item 4 [TMP-5806] – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a consent item.

(6:11 – 6:11)

1-327

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 1 – TMP-5536

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The development shall conform to the conditions of approval for the original and subsequent Site Development Plan Reviews (SDR-5518) and [Z-0033-97(23)] with the later Site Development Plan Review taking precedent over any conflicting requirements.
3. Street names must be provided in accordance with the City's street naming regulations.
4. The development shall be subject to the conditions of City departments and State subdivision statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 1 – TMP-5536

CONDITIONS – Continued:

Public Works

7. The site development shall comply with all applicable conditions of approval for Z-33-97(23), SDR-5518 and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-5570 - TENTATIVE MAP - VERANO CONDOMINIUMS AT PECCOLE RANCH - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: F & F HORIZONS ASSOCIATES, LLC - Request for a Tentative Map FOR A 408-UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION on 20.22 acres at 8600 West Charleston Boulevard (APN 138-32-801-001), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL – APPROVED subject to conditions Consent Item 1 [TMP-5536], Item 2 [TMP-5570], Item 3 [TMP-5777] and Item 4 [TMP-5806] – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a consent item.

(6:11 – 6:11)

1-327

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 2 – TMP-5570

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5452).
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.
4. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

5. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 2 – TMP-5570

CONDITIONS – Continued:

6. Site development to comply with all applicable conditions of approval for SDR-5452 and all other subsequent site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-5777 - TENTATIVE MAP - DECATUR MANOR - APPLICANT: VALENTE DEVELOPMENT - OWNER: KEVIN R. SIPES AND BARBARA SIPES - Request for a Tentative Map FOR A PROPOSED SEVEN-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 200 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESELLE – APPROVED subject to conditions Consent Item 1 [TMP-5536], Item 2 [TMP-5570], Item 3 [TMP-5777] and Item 4 [TMP-5806] – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a consent item.

(6:11 – 6:11)

1-327

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 3 – TMP-5777

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning case [ZON-5203] and all other site related activity (VAR-5202 and SDR-5204).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 3 – TMP-5577

CONDITIONS – Continued:

Public Works

7. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5203, Site Development Plan Review SDR-5204, and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

TMP-5806 - TENTATIVE MAP - SANDHURST LAS VEGAS, NORTH TOWER - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC - Request for a Tentative Map FOR A PROPOSED 414-LOT MIXED-USE SUBDIVISION on 3.23 acres adjacent to the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway (APN 139-33-810-006), PD (Planned Development) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESELLE – APPROVED subject to conditions Consent Item 1 [TMP-5536], Item 2 [TMP-5570], Item 3 [TMP-5777] and Item 4 [TMP-5806] – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a consent item.

(6:11 – 6:11)

1-327

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 4 – TMP-5806

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5179).
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
6. The perimeter wall section and elevation shall be reviewed and approved by the Department of Planning and Development prior to the issuance of any building permits for the site.

Public Works

7. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-5179, and all other applicable site-related actions.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 4– TMP-5806

CONDITIONS – Continued:

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-5030 - VACATION - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC. - Petition to vacate a 20-foot (20') wide public alley generally located north of Sahara Avenue, west of Paradise Road, Ward 3 (Reese)

SET DATE: 02/16/05

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 5 as he owned property located within the Notification area, **McSWAIN** abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and **TRUESDELL** abstaining on Item 5 as he has a partnership interest with the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 5 – VAC-5030

MINUTES – Continued:

with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)
1-342

CONDITIONS:

Planning and Development

1. This Petition of Vacation shall include the remaining 20-foot alley right-of-way generally located north of Sahara Avenue, east of Las Vegas Boulevard.
2. Provide a plan acceptable to the City Engineer depicting how the eastern half of the vacated alley will be incorporated into Assessor's Parcel Number 162-03-411-011 prior to recordation of the Order of Vacation.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required with SDR-5027, may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 5 – VAC-5030

CONDITIONS – Continued:

4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
7. Provide a copy of a recordable Joint Access Agreement between this site and Assessor Parcel Number 162-03-411-011. Such agreement shall record immediately after the recordation of the Order of Vacation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5830 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend the Master Plan Recreation Trails Element and the Downtown North Land Use Plan of the General Plan to revise the Pioneer Trail alignment, Ward 1 (Moncrief) and Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application. He pointed out that the application advocated changes to the Pioneer Trail alignment. The changes are a result of decisions based on maximizing public safety while using the trail and viewing the historic markers. In addition, alignment was adjusted as final marker sites were established. This allowed for proper placement of trail markers that provided the best view and explanation of each historic resource along the trail. Staff recommended approval.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:16 – 6:18)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5680 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RICHARD W. ATTISANI -
Required Two-Year Review of an approved Special Use Permit (U-0155-96) WHICH ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1217 South Commerce Street (APN 162-03-110-120), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for U-0155-96

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 5 as he owned property located within the Notification area, **McSWAIN** abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and **TRUESDELL** abstaining on Item 5 as he has a partnership interest in the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or with

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 7 – RQR-5680

MINUTES – Continued:

condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)

1-342

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 7– RQR-5680

CONDITIONS – Continued:

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5683 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-1974) WHICH APPROVED EIGHT EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN 139-33-610-005, 139-33-511-003, 004, and 139-27-410-005, 008), PD (Planned Development) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for RQR-1974

MOTION:

STEINMAN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 2/24/2005 Planning Commission meeting

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, outlined the required one-year review for existing billboard signs and that the review does not include the one billboard owned by Viacom along this highway frontage. There have been no changes that would cause staff to recommend the removal of the signs, based upon Title 19.14.060. Staff recommended approval subject to one-year review.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 8 – RQR-5683

MINUTES – Continued:

COMMISSIONER STEINMAN expressed concern that these signs are a blight on what is considered the best piece of land in the west. He questioned whether there be an opportunity to take action in the future as businesses expand along this route. MR. LEOBOLD responded that the Parkway Center Development Standards, adopted January 2002, apply, allowing for existing interim billboards but prohibiting construction of new billboards in this area. Until parcels begin to develop to where there is change in activity on site, the billboards can remain.

COMMISSIONER STEINMAN pointed out the two billboards on property currently being developed as the first phase of the Furniture Mart. MARGO WHEELER, Director of Planning and Development, advised that the billboards came with the property that the City acquired pursuant to an agreement with Union Pacific Railroad. Staff agreed that the signs should be removed; however, the recommendation at this time is for a one-year review. MR. LEOBOLD clarified that the World Market parcel is not the same parcel as the two billboards. VICE CHAIRMAN TRUESDELL added that one of the billboards located to the far north is on a parcel adjacent to the new Internal Revenue Service (IRS) facility. Both the Furniture Mart and the IRS facility should be completed within one year. It was his understanding during approval of the Chelsea Marketplace application that certain standards were incorporated requiring that any billboards allowed to remain be upgraded. Although he understood staff's recommendation for a one-year review, he urged discussion on the upgrading issue.

ROD CARTER, Clear Channel Outdoor, 2880 Mead Avenue, Las Vegas, was unaware of any stipulations requiring upgrading of any billboards allowed to remain. He was aware of interest by World Market Center in purchasing the property from Union Pacific Railroad in order to utilize these billboard signs for advertising. Should such purchase take place, World Market Center would be required to upgrade the billboard signs. Because of the substantial amount for such upgrades similar to the Chelsea Marketplace signs, he could only agree to upgrading the signs and not commit to any particular aesthetics.

CHAIRMAN NIGRO suggested abeying the matter to give staff time to work with the applicant regarding an intermediate plan. The applicant was not prepared, as this was the first time a discussion had taken place with the applicant. COMMISSIONER STEINMAN suggested a 30-day abeyance, emphasizing discussions should clarify the City desires relative to the signs. COMMISSIONER EVANS supported the abeyance but would not support a one-year review. The City has been very clear as to signage standards and the signage at the Chelsea Marketplace represents those standards. MS. WHEELER assured the Commission staff would review the contractual agreement mentioned and report back at the 2/24/2005 meeting.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:16 – 6:28)

1-537

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5732 - REQUIRED FOUR YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: RIEGER 1982 REVOCABLE TRUST - Required Four Year Review on an approved Variance (V-0131-90) WHICH ALLOWED AN 80-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 1405 "A" Street (APN 139-27-501-003), M (Industrial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for V-0131-90

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with McSWAIN and STEINMAN voting NO

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, stated that the continued off-premise sign use on the subject site is appropriate in that no significant changes have occurred in the area since the last review. The use remains compatible with the adjacent uses in the area. A recent inspection revealed the sign is in good condition and free of graffiti. In addition, a condition has been included which requires the sign to be maintained and free of graffiti at all times.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 9 – RQR-5732

MINUTES – Continued:

COMMISSIONER McSWAIN stated that she has supported billboard signage in the industrial areas in the valley. However, she expressed concern for the 80-foot height on the subject signage. Although the signage is oriented towards the freeway, it is a good distance from the freeway. She felt the height was in extreme and would not support the 80-foot height.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, Las Vegas, concurred with staff's conditions. In response to COMMISSIONER McSWAIN'S concern for the height, he explained that if the height on the signage was reduced, the trees on site would obscure it.

COMMISSIONER GOYNES added that this area is the most appropriate place for billboard signage, as it is industrial. He would support the application even with the height at 80 feet.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:28 – 6:31)

1-876

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in four (4) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5734 - REQUIRED ONE-YEAR REVIEW - PUBLIC HEARING - APPLICANT: FAMILY AND CHILD TREATMENT OF SOUTHERN NEVADA - OWNER: FURBER DEVELOPMENT - Required One-Year Review of an approved Special Use Permit (SUP-3405), WHICH ALLOWED A SEX OFFENDER COUNSELING FACILITY at 1050 South Rainbow Boulevard (APN 138-34-820-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for SUP-3405

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with GOYNES voting NO

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, stated that staff has been advised by Code Enforcement and Metro that this facility has had no complaints or enforcement actions. Staff felt that the use has been conducted in a manner that is appropriate for the zoning district and the surrounding area. Staff recommended approval with no requirement of further reviews.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 10 – RQR-5734

MINUTES – Continued:

MARGO WHEELER, Planning and Development, clarified for COMMISSIONER DAVENPORT that the subject site is located off of Rainbow Boulevard.

COMMISSIONER McSWAIN appreciated the applicant's efforts in maintaining a positive reputation and not having any complaints. She would be inclined to approve the application.

KAREN MARCONI, Executive Director, Family and Child Treatment of Southern Nevada, 1050 S. Rainbow Boulevard, Las Vegas, NV 89145, appeared before the Commission to answer any questions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:31 – 6:34)

1-1001

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 10 – RQR-5734

CONDITIONS:

Planning and Development

1. Conformance to all Conditions of Approval for Special Use Permit SUP-3405, with no further reviews required.
2. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5745 - REQUIRED FIVE YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VEGAS SOL, INC., ET AL - Request for a Five-Year Review of an approved Special Use Permit (U-0088-99) WHICH ALLOWED AN EXISTING COMMERCIAL EQUESTRIAN CENTER at 6901 North Jones Boulevard (APN 125-23-601-012, 017, 018, 019, 020, and 024), R-E (Residence Estates) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for U-0088-99

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791] – UNANIMOUS with DAVENPORT abstaining on Item 5 as he owned property located within the Notification area, McSWAIN abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and TRUESDELL abstaining on Item 5 as he has a partnership interest in the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 11 – RQR-5745

MINUTES – Continued:

changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)

1-342

CONDITIONS:

Planning and Development

1. Conformance to all Conditions of Approval for Special Use Permit U-0088-99, with no further reviews required.
2. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5759 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC - Request for a Special Use Permit FOR AN EXISTING 40-FOOT HIGH, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 Industrial Road (APN 162-04-802-003), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 5 as he owned property located within the Notification area, **McSWAIN** abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and **TRUESEL** abstaining on Item 5 as he has a partnership interest in the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 12 – SUP-5759

MINUTES – Continued:

condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)

1-342

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in four (4) years after approval of this request by the City Council at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. The Off-Premise Advertising (Billboard) Sign shall not exceed the existing 12-foot by 24-foot dimensions and shall be maintained in conformance with all minimum requirements under Title 19.14 for an Off-Premise Advertising (Billboard) Sign and other applicable sign requirements.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 12 – SUP-5759

CONDITIONS – Continued:

perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. Only one advertising sign is permitted per sign face.
5. The entire face-area of both sides of the Off-Premise Advertising (Billboard) Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
6. If the Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City code requirements and design standards of all City departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SNC-5832 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Request for a Street Name Change FROM: GILBERT LANE TO:
SHELEHEDA AVENUE, between Jones Boulevard and Bradley Road, Ward 6 (Mack).

SET DATE: 02/16/05

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 14 [VAC-5721] and Item 15 [VAC-5791] and subject to condition on Item 13 [SNC-5832] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 5 as he owned property located within the Notification area, **McSWAIN** abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and **TRUESDELL** abstaining on Item 5 as he has a partnership interest in the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 13 – SNC-5832

MINUTES – Continued:

condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)

1-342

CONDITION:

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-5721 - VACATION - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: TASS C. HARDIN AND LOIS I. HARDIN, ET AL -
Petition to Vacate a portion of the south half of Red Coach Avenue between Painted Desert Drive and Rancho Drive, Ward 6 (Mack).

SET DATE: 02/16/05

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 5 as he owned property located within the Notification area, **McSWAIN** abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and **TRUESDELL** abstaining on Item 5 as he has a partnership interest in the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 14 – VAC-5721

MINUTES – Continued:

changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)

1-342

CONDITIONS:

1. The limits of this vacation shall be a portion of the south 30-feet of Red Coach Avenue west of Rancho Drive, exclusive of the areas needed for two cul-de-sacs required by ZON-3486 and shown on the vacation exhibit dated 11/30/04.
2. The Order of Vacation shall not record until cul-de-sac terminations for Red Coach Avenue and Painted Desert Drive have been dedicated, either through a Map (such as PMP-5221) or through a separate document.
3. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas Sewer easement within Red Coach Avenue, in an alignment and to a location acceptable to the City Engineer.
4. This Petition of Vacation shall be modified to retain a public drainage easement to be privately maintained.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 14 – VAC-5721

CONDITIONS – Continued:

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. All development shall be in conformance with code requirements and design standards of all City Departments.
8. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
9. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-5791 - VACATION - PUBLIC HEARING - APPLICANT: JOHN C. COOLIDGE
- OWNER: C & C INVESTMENT, COMPANY - Petition to Vacate a portion of a 15-foot wide public utility easement at 3505 East Charleston Boulevard, Ward 3 (Reese).

SET DATE: 02/16/05

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter for GPA-3382

MOTION:

GOYNES – APPROVED subject to conditions on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 5 as he owned property located within the Notification area, **McSWAIN** abstaining on Item 14 as her company, Terra Contracting, is presently under contract with Ovation Development, and **TRUESDELL** abstaining on Item 5 as he has a partnership interest in the adjacent property owner which is affected by the application

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 15 – VAC-5791

MINUTES – Continued:

condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

GARY LEOBOLD, Planning and Development, noted that Item 6 [GPA-5830] was included with the One Motion/One Vote items, in error, and needed to be removed. In addition, Item 10 [RQR-5733] needed to be removed from One Motion/One Vote, as staff received objections to this application. COMMISSIONER McSWAIN requested Item 8 [RQR-5683] be pulled from One Motion/One Vote, and COMMISSIONER STEINMAN requested that Item 9 [RQR-5732] be pulled from One Motion/One Vote so discussions could take place. CHAIRMAN NIGRO concurred.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 5 [VAC-5030], Item 7 [RQR-5680], Item 11 [RQR-5745], Item 12 [SUP-5759], Item 13 [SNC-5832], Item 14 [VAC-5721] and Item 15 [VAC-5791].

(6:11 – 6:16)

1-342

CONDITIONS:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 15 – VAC-5791

CONDITIONS – Continued:

remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - GPA-5266 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to designate Future Land Use Designations as Commercial, Mixed Use, Industrial or Public Facility located within the Redevelopment Plan expansion area and within other areas of the Las Vegas Redevelopment Plan. Wards: 1 (Moncrief), 3 (Reese), and 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends this item be STRICKEN from the agenda.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; **STRIKE** Item 16 [GPA-5266] and Item 89 [DIR-5833]; and **WITHDRAW WITHOUT PREJUDICE** Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – **UNANIMOUS**

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:11)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5503 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SHAG'S CARWASH - OWNER: HARRY & GERALDINE GORDON REVOCABLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 3,208 SQUARE-FOOT CAR WASH/DRIVE-THROUGH DELI/COFFEE SHOP AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR MINIMUM FLOOR AREA RATIO, THE FRONT YARD BUILD-TO REQUIREMENT, MINIMUM GLAZING REQUIREMENT, MINIMUM GROUND-FLOOR RETAIL REQUIREMENT, UNDERGROUND UTILITIES AND SCREENING OF AUTO-RELATED FACILITIES on 0.23 acres adjacent to the east side of Main Street, approximately 175 feet north of Bonneville Avenue (APN 139-34-311-001 and 002), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions and amending the following conditions:

2. All development shall be in conformance with the site plan and building elevations, date stamped 1/20/2005, except as amended by conditions herein.
7. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan, *subject to the approval of the Department of Public Works.*

– Motion carried with McSWAIN and EVANS voting NO

To be heard by City Council 3/02/2005

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 17 – SDR-5503

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, summarized the application by stating that the proposed use and configuration of the development on the subject site does not conform with the objectives of the Centennial Plan.

LUCY STEWART, 856 E. Sahara, PAUL CHRISTENSEN, Consultant to the property owner, 710 Lacy Lane, Las Vegas, NV 89107 and JIM SHAGO, property owner, all appeared on behalf of the applicant. MR. CHRISTENSEN stated that the subject parcel is adjacent to the railroad tracks. He pointed out that it is difficult to place underground power on a ¼-acre land, but the applicant would be willing to sign an agreement to do so should the adjacent property owners participate. In addition, the fencing and landscaping issues have been resolved. He noted that there were complaints with a previous similar site regarding the noise level on the vacuum cleaners; however, the proposed vacuum cleaners are much quieter and the noise level is less than that of the trains.

MS. STEWART clarified for CHAIRMAN NIGRO that the applicant would like a revision on Condition 5 to reflect the flexibility to use the smooth-face concrete block in the elevations. In addition, the applicant would like a revision on Condition 7.

MARGO WHEELER, Planning and Development, stated that Condition 7 is a requirement of the Downtown Centennial Plan. Because there has been difficulty in completing this requirement on smaller projects, staff has worked with applicants in achieving the underground requirements that are physically feasible. The City is looking into finding a better solution to this problem in the downtown area. She pointed out that the condition could remain as is and would not preclude the proposed project from moving forward while working with the Public Works Department for compliance.

VICE CHAIRMAN TRUESDELL and COMMISSIONER McSWAIN appreciated the applicant's willingness to participate in an agreement relative to the underground utilities and power service lines. VICE CHAIRMAN TRUESDELL realized the subject site is difficult and small but should not be justification in denying an applicant who is willing to develop his or her property. The goal is to encourage development in the downtown area.

COMMISSIONER McSWAIN expressed concern that staff pointed out in the backup report that the stacking area for the proposed car wash may have an impact on the flow of traffic on Main Street. In addition, she was not comfortable with the bay area being open to the right-of-way. Although the railroad is adjacent to the proposed site, upcoming projects in the downtown area

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 17 – SDR-5503

MINUTES – Continued:

would eventually have an impact on Main Street. It was her opinion that the proposed use was not something that was envisioned for this area and could not support the application.

MS. STEWART informed COMMISSIONER STEINMAN that stacking would be up to four vehicles, but he felt this was sufficient for the downtown area.

COMMISSIONER GOYNES liked the project and agreed with VICE CHAIRMAN TRUESDELL'S previous comments. However, he would like to see a gate on the subject site to close down the facility at night to avoid the possibility of individuals or vehicles entering the car wash. MS. STEWART concurred and added that the applicant is already working on this suggestion and should have a solution at City Council.

For the record, MS. WHEELER stated that staff's recommendation on the Planning Commission agenda is incorrect, as it should have indicated denial. She then read into record the revisions to Condition 2 and Condition 7. MS. STEWART concurred with the revisions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:36 – 6:49)

1-1189

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 10/21/04, except as amended by conditions herein.
3. Approval of this Site Development Plan Review does not constitute approval of the cell tower location shown at the northeast corner of the site.
4. The following Waivers from the Downtown Centennial Plan are hereby approved: Minimum floor area ratio, frontage build-to requirement, minimum glazing requirement, minimum ground-floor retail requirement, and the requirement to screen auto-related facilities.
5. The elevations shall be revised to exclude the use of smooth-face concrete block and shall be submitted to the Planning and Development Department staff for review and approval, in

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 17 – SDR-5503

CONDITIONS – Continued:

- conjunction with a color and materials board, prior to the time application is made for a building permit.
6. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
 7. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan.
 8. An eight-foot wide landscape buffer and 42” parking lot screen fence shall be provided to screen the parking lot in accordance with Subsection DS3.1.g. of the Downtown Centennial Plan. The screen fence shall conform with the design shown in Graphic 5 of the Downtown Centennial Plan.
 9. A Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved, subject to the provision of two palm trees in tree grates along the Main Street frontage of the property. The palm trees shall have a minimum height of 25 feet upon installation. The sidewalk surface treatment shall conform to match the Downtown Centennial Plan requirements.
 10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing the proposed streetscape treatment and conforming landscape buffers, with no more than 12.5% of the total landscaped area as turf.
 11. The required landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
 12. The applicant shall provide and install standard Fourth Street style fixtures in place of any existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
 13. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. The trash enclosure shall be walled and roofed in accordance

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 17 – SDR-5503

CONDITIONS – Continued:

with Title 19.08.045. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
17. Dedicate an additional five feet of right-of-way for a total half-street width of 45 feet on Main Street adjacent to this site prior to the issuance of any permits.
18. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
19. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits.
20. Landscape and maintain all unimproved right-of-way on Main Street adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Main Street public right-of-way adjacent to this site prior to occupancy of this site.
22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5517 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: WILLOWS TOWN CENTER, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 188-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 8.81 acres adjacent to the southeast corner of Bath Drive and Fort Apache Road (APN 125-20-301-022), T-C (Town Center) Zone [M-TC (Medium Density Residential - Town Center) Land Use Designation], Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, gave a brief overview of the application and pointed out that the application was previously held in abeyance to allow the City and the County to work on implementing a multi-use transportation trail within the beltway alignment along the southern edge of the property. In addition, the applicant has committed to participate in developing this trail, so one of staff's conditions validates the commitment.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 18 – SDR-5517

MINUTES – Continued:

Staff suggested that these trails are developed on a site-by-site basis. Other properties to the east of the proposed site have had this type of condition; however, the properties were sold and different projects were presented. As a result, the condition became null and void.

RUSS SILLETOE, Civiltech, 4795 S. Sandhill Road, Las Vegas, appeared on behalf of the applicant. He expressed appreciation for staff in working on the application and its conditions. He concurred with all conditions.

VICE CHAIRMAN TRUESDELL expressed concern regarding maintaining open space in the northwest while going forward with the trails. MR. LEOBOLD responded that it was unfortunate that some opportunities for trails have been lost within some of the parcels in Town Center. Staff would continue to work with the County on these trails to find solutions that would meet the County's needs and the City's goals as well. Being that the trails have been an integral part in previous discussions, it was disconcerting to VICE CHAIRMAN TRUESDELL that a certain section of Town Center would not have trails as anticipated, even if funding were available. MARGO WHEELER, Planning and Development, clarified for the Commission that there would be a trail. The issue is whether the trail would be adjacent to the freeway or in the right-of-way, as well as making sure the City's portion is in compliance with how the County is doing their portion.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(6:49 – 6:55)

1-1672

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [SDR-1157] except as amended by conditions herein.
3. A Multi-Use Non-Equestrian Trail shall be constructed along the southern boundary of the property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 18 – SDR-5517

CONDITIONS – Continued:

4. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
9. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 18 – SDR-5517

CONDITIONS – Continued:

10. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
11. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.
14. Site development to comply with all applicable conditions of approval for ZON-1156 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5519 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: PR LONE MOUNTAIN WEST, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 98-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 5.27 acres at 10620 West Alexander Road (APN 137-01-401-010), PD (Planned Development) Zone [Multi-Family Medium Lone Mountain West Special Land Use Designation], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, pointed out that the original Site Development Plan Review on the subject property required that the applicant participate in the development of a trail within the Nevada Power easement, which is the adjacent parcel. The applicant would work with the developer of the adjacent parcel in developing this portion of the trail.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 19 – SDR-5519

MINUTES – Continued:

RUSS SILLETOE, Civiltech, 4795 S. Sandhill Road, Las Vegas, appeared on behalf of the applicant. He expressed appreciation for staff in working on the application and its conditions. He concurred with all conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.
(6:55 – 6:57)
1-1907

CONDITIONS:

Planning and Development

1. A Multi-Use Non-Equestrian Trail shall be constructed along the western boundary of the property in accordance with the Lone Mountain West Master Trails prior to the recordation of a Final Map. This must be depicted on the Tentative Map.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0056-01(1)] except as amended by conditions herein.
4. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition,

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 19 – SDR-5519

CONDITIONS – Continued:

should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.
11. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. Provide and improve all drainageways as recommended in the approved drainage plan/study.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.
13. Site development to comply with all applicable conditions of approval for Z-56-01 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5820 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RCD HOLDINGS, LLC - OWNER: THE BORSACK GROUP, INC., ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (OFFICE) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 10.76 acres adjacent to the northwest corner of Ann Road and Balsam Street (APN 125-27-802-002, 003, 004, 005; 125-27-802-008, 009, 012 and 014), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the February 10, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 20 – GPA-5820

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request to amend a portion of the Southeast Sector Map of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – Motion carried with NIGRO and STEINMAN voting NO

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 21 [GPA-5597], Item 22 [ZON-5598], Item 23 [SUP-5600] and Item 24 [SDR-5599].

STEVE SWANTON, Planning & Development, gave an overview of the application. It is staff's findings that the General Commercial (GC) designation proposed for the subject site is not compatible with the Service Commercial (SC) and Medium Density Residential (M) to the north and west of the subject site. In addition, the area is dominated by less intense SC uses. The rezoning request to C-2 is not compatible with the surrounding zoning C-1 district. Regarding the Special Use Permit request, the proposed used motor vehicle sales use would be close to

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 21 – GPA-5597

MINUTES – Continued:

existing residential development. Lastly, regarding the Site Development Plan Review, staff felt that the site was overbuilt. In closing, staff recommended denial on the proposed requests.

Staff also requested that Condition 3 be deleted and Condition 4 be amended on Item 24 [SDR-5599]. MR. SWANTON then read into record the amended condition.

HECTOR CAMACHO, 3335 Rawhide Avenue, Las Vegas, NV, appeared on behalf of the applicant. Because MR. CAMACHO had not reviewed staff's conditions, CHAIRMAN NIGRO suggested trailing the item so the applicant could review the conditions with staff. GARY LEOBOLD, Planning and Development, noted that the conditions were mailed to the applicant.

After trailing the item, CHAIRMAN NIGRO confirmed with MR. CAMACHO that he concurred with staff's conditions.

COMMISSIONER McSWAIN wanted to ensure the applicant understood staff's conditions should the application be approved. She did not feel it was appropriate to place C-2 (General Commercial) zoning in the middle of an area that has less intense uses. COMMISSIONER TRUESDELL agreed with COMMISSIONER McSWAIN'S opinion. The proposed used motor vehicle sales would be located more so in the neighborhood rather than on the major arterial highway.

MR. CAMACHO responded that he has a car lot and there is also a mechanic shop across the street from the subject site. He stated that the lot is currently a place for illegal activity and felt that the proposed use would benefit the area. MR. CAMACHO informed COMMISSIONER GOYNES that his car lot is zoned C-1 with a Special Use Permit, and the mechanic shop is zoned C-2.

GARY LEOBOLD, Planning and Development, commented that although there is C-2 zoning in this area, the land use is Service Commercial (SC). He then showed on a map where the nearest General Commercial (GC) was relative to the subject site. MR. LEOBOLD pointed out that the key issue is land use, and this area is not General Commercial. COMMISSIONER GOYNES felt that it was more appropriate to maintain businesses in this area as Service Commercial, such as shopping centers and public facilities. Having the proposed use on this site, as General Commercial, would only lead to uses such as recreational vehicle sales, hotels, etc.

CHAIRMAN NIGRO understood that the proposed use was not compatible with the overall zoning for the site; however, he felt it was conflicting because the uses were in existence before the master zoning. He believed that the proposed use would not make the area any more intense because it is not immediately adjacent to residential lots.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 21 – GPA-5597

MINUTES – Continued:

MR. LEOBOLD added staff was also concerned that the proposed use did not meet the setback and landscaping guidelines generally desired for commercial areas.

COMMISSIONER STEINMAN felt that the area needed a major improvement. He felt the proposed use was appropriate and beneficial to the neighborhood.

VICE CHAIRMAN TRUESDELL commented that Hinkle Drive is two blocks from Rancho High School, which has an upcoming upgrading project entailing approximately \$80,000.000. He felt that the proposed used auto sales would create potential problems with test-driving issues similar to what has happened in neighborhoods along West Sahara Avenue. MR. CAMACHO responded that the proposed use would be a small facility with approximately five vehicles.

COMMISSIONER GOYNES announced there would be an upcoming tour of this section in Las Vegas in March. He encouraged MR. CAMACHO and others to attend so they could be aware of future projects that are more beneficial to this community, including the upgrading project at Rancho High School.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 21 [GPA-5597], Item 22 [ZON-5598], Item 23 [SUP-5600] and Item 24 [SDR-5599].

(6:57 – 7:02)/ (7:33 – 7:45)

1-2007/1-3880

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5598 - REZONING RELATED TO GPA-5597 - PUBLIC HEARING -
APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Rezoning
FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.17 acres
at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – Motion carried with NIGRO and STEINMAN voting NO

To be heard by City Council 3/02/2005

MINUTES:

See Item 21 [GPA-5597] for all related discussion on Item 21 [GPA-5597], Item 22 [ZON-5598], Item 23 [SUP-5600] and Item 24 [SDR-5599].

(6:57 – 7:02)/ (7:33 – 7:45)

1-2007/1-3880

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5600 - SPECIAL USE PERMIT RELATED TO GPA-5597 AND ZON-5598 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI -
Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – Motion carried with NIGRO and STEINMAN voting NO

To be heard by City Council 3/02/2005

MINUTES:

See Item 21 [GPA-5597] for all related discussion on Item 21 [GPA-5597], Item 22 [ZON-5598], Item 23 [SUP-5600] and Item 24 [SDR-5599].

(6:57 – 7:02)/ (7:33 – 7:45)

1-2007/1-3880

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5599 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5597, ZON-5598, AND SUP-5600 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Site Development Plan Review FOR A PROPOSED 1,880 SQUARE-FOOT COMMERCIAL BUILDING AND WAIVERS TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED; A FIVE-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED; AND OF PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – Motion carried with NIGRO and STEINMAN voting NO

To be heard by City Council 3/02/2005

MINUTES:

See Item 21 [GPA-5597] for all related discussion on Item 21 [GPA-5597], Item 22 [ZON-5598], Item 23 [SUP-5600] and Item 24 [SDR-5599].

(6:57 – 7:02)/ (7:33 – 7:45)

1-2007/1-3880

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5612 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: UNITED STATES OF AMERICA
- Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 15.02 acres adjacent to the south side of Horse Drive, approximately 290 feet west of Bradley Road (APN 125-12-301-005), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 2/10/2005 Planning Commission meeting

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 25 [GPA-5612], Item 26 [ZON-5613] and Item 27 [SDR-5614].

GARY LEOBOLD, Planning & Development, gave an overview of the application. Staff felt the General Plan Amendment request was appropriate, as there are other adjacent public facilities. In addition, the Civic (C-V) zoning compliments the Public Facilities (PF) land use.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 25 – GPA-5612

MINUTES – Continued:

The site plan reflected an access road along the western/southern edge of the school site. Staff felt that one of the conditions would alleviate any conflict with the equestrian and park facility to the south/east. In addition, there are handicapped parking spaces that must be revised to comply with our Code requirements. The applicant requested the deletion of Condition 2 on Item 27 and staff concurred.

CAROL BAILEY, Clark County School District, 4212 Eucalyptus Annex, Las Vegas, along with ROBIN CAULIFIELD, JMA Architects, appeared on behalf of the applicant and concurred with staff's conditions.

STAN KOPEC, 8228 Fulton Ranch Road, TINA SNYDER, 8308 Fulton Ranch Road and JEFF ROTH, 8304 Fulton Ranch Road, all did not object to the proposed school. However, they expressed some concerns, which included the proposed access road that would be alongside the residents' rear wall west of the proposed site. They felt this driveway location would only be an invitation to trouble with individuals hanging out and being mischievous. In addition, the residents would like for the buses to drop off and pick up the children off of Bradley Road, which could alleviate some of the traffic congestion on Horse Drive.

MS. BAILEY responded that they would like to continue working with the residents in finding solutions to their concerns. She also pointed out that their goal is to not duplicate a problem they previously had with another elementary school in having a single-sided school. The applicant proposed to have denser landscaping with larger boulders on the side adjacent to the residents' homes, which would prevent any type of walkway in that area. There would also be a temporary gate on the site during the hours the school is not in use. The applicant also proposed allowing the flow of traffic through the rear of the proposed school to prevent stacking.

MS. BAILEY used the overhead to show and explain to VICE CHAIRMAN TRUESDELL what a single-sided school is. She referenced Heckerthorn Elementary School, where the buses entering and exiting on one side only. This resulted in many complaints from adjacent neighborhoods concerning the traffic congestion in front of this school. VICE CHAIRMAN TRUESDELL understood the residents' concerns and preferred having the drop off/pick up point in an area that is more visible, such as on Bradley Road, for safety reasons and to alleviate traffic congestion.

MR. CAULIFIELD clarified for VICE CHAIRMAN TRUESDELL that the traffic congestion at Heckerthorn Elementary School is not due to the buses. The problem occurs when you have a single entry site with parents picking up and dropping off their children, it tends to completely shut down the traffic flow on the roadway in front of the school. The majority of schools have at least two access points available on site and when the queuing line gets backed up, parents will start to drop off their children anywhere. VICE CHAIRMAN TRUESDELL responded that if

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 25 – GPA-5612

MINUTES – Continued:

the cul-de-sac were on the opposite side of the school, there would be two drop off points. In turn, the access point on the western side of the school would not be necessary and would alleviate some concerns.

COMMISSIONER STEINMAN questioned the access to Bradley Road from an adjacent property, which is a future equestrian site. In addition, he wondered why the access road could not be gated after school hours and on weekends. MS. BAILEY responded that the proposed school would be open to uses within the community for park and school, so the equestrian park also utilizes the school's ball fields. It is uncertain at this time who would be responsible for maintenance. COMMISSIONER STEINMAN'S opinion was that the school should not have 24-hour access. MS. BAILEY continued by stating the City allows them to cross the property in exchange of use of their ball fields and they cohabitate on this entire site. DEPUTY CITY ATTORNEY BRYAN SCOTT added that the agreement is probably an easement for egress/ingress at the subject site.

COMMISSIONER McSWAIN suggested having the access point on the east side of the subject site. She empathized with the residents and thought it was unfair to create a situation where vehicles could park alongside their rear wall. She believed there was a win-win solution for all parties involved. CHAIRMAN NIGRO concurred and asked if having the access point on the east side would create a traffic problem on Bradley Road and Horse Drive. Rick Schroder, Public Works Department, responded that there may be some impact on the driveway on the north side of Horse Drive.

Because several issues remained after extensive discussions, COMMISSIONER McSWAIN requested abeying the item so that the applicant could work with staff in resolving these issues. MS. BAILEY was concerned with meeting construction deadlines, and she felt that the residents' concerns would be alleviated with the aforementioned recommendations. She pointed out that the school was moved on the site from the corner of Horse Drive and Jones Boulevard to accommodate the equestrian trails and the development of the City park.

COMMISSIONER STEINMAN agreed with COMMISSIONER McSWAIN'S suggestion for the access point and added that individuals utilizing the school should also have access from the parking in front of the proposed school. CHAIRMAN NIGRO emphasized to the applicant the importance of resubmitting the revised Site Plan to staff in the appropriate timeframe.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 25 [GPA-5612], Item 26 [ZON-5613] and Item 27 [SDR-5614].

(7:02 – 7:33)

1-2211

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5613 - REZONING RELATED TO GPA-5612 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: UNITED STATES OF AMERICA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 15.02 acres adjacent to the south side of Horse Drive, approximately 290 feet west of Bradley Road (APN 125-12-301-005), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 2/10/2005 Planning Commission meeting

MINUTES:

See Item 25 [GPA-5612] for all related discussion on Item 25 [GPA-5612], Item 26 [ZON-5613] and Item 27 [SDR-5614].

(7:02 – 7:33)

1-2211

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5614 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5612 AND ZON-5613 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: UNITED STATES OF AMERICA - Request for a Site Development Plan Review FOR A PROPOSED PUBLIC SCHOOL, PRIMARY on 15.02 acres adjacent to the south side of Horse Drive, approximately 290 feet west of Bradley Road (APN 125-12-301-005), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic) Zone], Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to the 2/10/2005 Planning Commission meeting

MINUTES:

See Item 25 [GPA-5612] for all related discussion on Item 25 [GPA-5612], Item 26 [ZON-5613] and Item 27 [SDR-5614].

(7:02 – 7:33)
1-2211

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5762 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT:
AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request to amend a portion of
the Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL)
TO: L (LOW DENSITY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of
Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; **STRIKE** Item 16 [GPA-5266] and Item 89 [DIR-5833]; and **WITHDRAW WITHOUT PREJUDICE** Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – **UNANIMOUS**

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5765 - REZONING RELATED TO GPA-5762 - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5775 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	48
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5776 - REZONING RELATED TO GPA-5775 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	48
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5846 - VARIANCE RELATED TO GPA-5775 AND ZON-5776 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.16 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED on property adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone], Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	24
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 32 – VAR-5846

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5778 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5775, ZON-5776, AND VAR-5846 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Site Development Plan Review FOR A PROPOSED NINE-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone], Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	24
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 33 – SDR-5778

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5803 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED with the amended request from Medium-Low Attached Density Residential (MLA) to Office (O) – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 34 [GPA-5803], Item 35 [ZON-5805], Item 36 [VAR-5852] and Item 37 [SDR-5811].

GARY LEOBOLD, Planning and Development, gave a brief overview of the application. In summary, he pointed out that the Master Plan 2020 requires that development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development. Although that policy was intended for older areas of the city, the context is appropriate with this application and thereby staff recommended denial.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 34 – GPA-5803

MINUTES – Continued:

MR. LEOBOLD continued by stating that in 2001, a previous property owner sought Service Commercial (SC) designation to this property for a nursing home application. Council approved an amendment request to Medium Low Attached category. There is an assisted living facility north of this site designated as R, which was approved by Clark County but is not in conformance with the City's General Plan. There is an Office site to the south and substantial amount of Rural land immediately to the east. For these reasons, staff felt that the request for Service Commercial and C-1 would be inappropriate. In addition, staff felt that the site was somewhat overbuilt.

The applicant recently provided staff with a letter requesting that the applications be amended to Office designation under the General Plan and Office zoning district. Staff has not had sufficient time to review this request.

MR. LEOBOLD concluded by stating that staff recommended denial on the original applications. However, should the Commission consider the applicant's recent request to change to Office, staff requested time to review the request, as well as, the variance issues with the site plan. He then confirmed for CHAIRMAN NIGRO that there would not be any notification issues relative to changing the original designation request from SC to O.

JON FIELD, Attorney, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV 89109, appeared on behalf of the applicant. ATTORNEY FIELD reiterated MR. LEOBOLD'S comments relative to the applicant's request to amend the General Plan from SC to O and the Rezoning change from C-1 to O. He explained that the site was designed for office condo use with the possibility of having commercial. However, after discussions with staff and the neighbors, the applicant agreed to limit the use to Office. Using the overhead, he then gave a presentation relative to the site plan and the surrounding uses. ATTORNEY FIELD concurred with staff's conditions.

BRAD and MARYANN GOTHARD, 3431 N. Tioga, STEPHANIE LAVINE, 3411 N. Tioga, along with other residents in the audience, supported the Office use and requested clarification on what the applicant was requesting and had concerns with the site being overbuilt, the location of the trash enclosure, recommended having an eight-foot wall, requested increased landscaping in the rear of the subject site and preferred the structure to remain as single story.

ATTORNEY FIELD responded that the trash enclosure could be moved further to the west. Should the pad elevations be higher than the residential to the east, the applicant would be willing to build an eight-foot wall and tear down the existing six-foot wall. The office hours would be approximately 9 am to 5 pm Monday through Friday. He reassured the residents that the use would be strictly Office Professional.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 34 – GPA-5803

MINUTES – Continued:

COMMISSIONER McSWAIN confirmed with ATTORNEY FIELD that the trash enclosure would be covered.

ATTORNEY FIELD informed COMMISSIONER STEINMAN that there is a loading zone east of the two handicap parking spaces on the subject site. There is only one trash enclosure on the site. COMMISSIONER STEINMAN disagreed with the location of the handicap parking spaces for Building A. The applicant thought it was more appropriate to place the handicap parking spaces on the side where it is closer to go through the courtyard and enter the building as opposed to walking across the parking area.

COMMISSIONER TRUESDELL commended the applicant on their efforts in working with the residents and minimizing the impact with the requested changes on their applications. He supported the applications.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 34 [GPA-5803], Item 35 [ZON-5805], Item 36 [VAR-5852] and Item 37 [SDR-5811].

(7:45 – 8:07)

2-484

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5805 - REZONING RELATED TO GPA-5803 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED with the amended request from Medium-Low Attached Density Residential (MLA) to Office (O) subject to conditions and adding the following condition:

- **The hours of operation shall be Monday thru Friday from 9:00 a.m. to 5:00 p.m.**
- UNANIMOUS**

To be heard by City Council 3/02/2005

MINUTES:

See Item 34 [GPA-5803] for all related discussion on Item 34 [GPA-5803], Item 35 [ZON-5805], Item 36 [VAR-5852] and Item 37 [SDR-5811].

(7:45 – 8:07)

2-484

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 35 – ZON-5805

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5803) to the SC (Service Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5852 - VARIANCE RELATED TO GPA-5803 AND ZON-5805 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request for a Variance TO ALLOW AN EIGHT-FOOT SETBACK FROM RESIDENTIAL USES WHERE A MINIMUM OF 50 FEET FOR A PROPOSED TRASH ENCLOSURE IS REQUIRED AND TO ALLOW 58-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES A MINIMUM OF 63 FEET FOR A PROPOSED 21-FOOT HIGH COMMERCIAL BUILDING on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

See Item 34 [GPA-5803] for all related discussion on Item 34 [GPA-5803], Item 35 [ZON-5805], Item 36 [VAR-5852] and Item 37 [SDR-5811].

(7:45 – 8:07)

2-484

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 36 – VAR-5852

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-5803) and Rezoning (ZON-5803).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5811 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5803, ZON-5805 AND VAR-5852 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED 10,000 SQUARE-FOOT, SINGLE-STORY PROFESSIONAL OFFICE BUILDINGS on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL – APPROVED subject to conditions and adding the following conditions:

- *There shall be an 8-foot high eastern side, single wall with the same finish as the existing wall.*
- *The trash enclosure shall remain located along the north property line but shall be moved 50 feet to the west.*

– UNANIMOUS

To be heard by City Council 3/02/2005

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 37 – SDR-5811

MINUTES:

See Item 34 [GPA-5803] for all related discussion on Item 34 [GPA-5803], Item 35 [ZON-5805], Item 36 [VAR-5852] and Item 37 [SDR-5811].

(7:45 – 8:07)

2-484

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-5805] to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. A Variance [VAR-5852] to allow the proposed location of the trash enclosure and the proposed building setback from the north property line approved by the City Council
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an additional loading space and a perimeter wall.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 37 – SDR-5811

CONDITIONS – Continued:

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. All City Code requirements and design standards of all City departments must be satisfied.
17. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
18. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 37 – SDR-5811

CONDITIONS – Continued:

be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

19. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
21. Site development to comply with all applicable conditions of approval for ZON-5805 and all other site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5804 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request to amend a portion of the Centennial Hills Sector Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	58
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Signed Petition of Opposition with 54 signatures

MOTION:

TRUESEL – APPROVED with the General Plan Designation amended to Medium Low (ML) with a maximum of 8 units to the acre – **UNANIMOUS** with McSWAIN abstaining as her company, Terra Contracting, is currently under contract with Richmond American Homes

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 38 [GPA-5804], Item 39 [ZON-5809], Item 40 [VAR-5810] and Item 41 [SDR-5807].

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 38 – GPA-5804

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that the request is to change the General Plan Designation from R (Rural Density Residential) to MLA (Medium-Low Attached Density Residential). The land to the north of the site is designated R (Rural Density Residential) which allows up to 3.5 units an acre, and the land to the east is zoned R-E (Rural Estates Residential – Clark County), which allows up to 2.5 units per acre. The proposed designation allows up to 12 units per acre and would introduce densities and lot sizes that would not be compatible with the surrounding development. In essence, staff felt the site was overbuilt and recommended denial.

TABITHA KEACH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She used the overhead to briefly describe the subject site. She pointed out that west of Rainbow Boulevard, higher densities are a trend in the area closest to the 95 Freeway. With the subject site being located on the corner of Ann Road and Rainbow Boulevard, ATTORNEY KEACH explained that access to the site is somewhat constrained being on Rainbow Boulevard.

TODD FARLOW, 240 N. 19th Street, MICHAEL MCALPIN, 5611 Gilbert Lane, JENNIFER SRODES, 5695 N. Rainbow Boulevard, JIMMY D. EPLEY, 5686 N. Rainbow, KEITH PEARSON, 5710 N. Rainbow Boulevard, RON JENSEN, 5631 Gilbert Lane, HOWARD and SHERRI HUGHES, 5853 Rebecca Road, CECILIA LAUB, 6781 Haven Hollow and HELENE PROSSER, 6913 Glen Landing Avenue, all expressed their concerns involving the project being too dense with too many units per acre, one story versus two-story homes, the access point on the subject site, traffic congestion, potential flooding problems and keeping with the rural character of their neighborhood. Continuing to work with the developer, the residents felt that these concerns could be resolved, which would result in having an acceptable project for all parties involved. A signed petition was submitted for the record.

JUDIE COLLINS, 5685 Balsam Street, supported the project. She felt that initially the area was rural; however, Ann Road is now up to six lanes and is a busy roadway.

VICE CHAIRMAN TRUESDELL agreed with the residents in that the units per acre could be reduced for the subject site, which would allow for more open space. However, he felt that the existing daycare facility would generate more traffic than the proposed single-family residences. It was his opinion and recommendation that the proposed project would be more appropriate if it were amended to ML. CHAIRMAN NIGRO concurred with VICE CHAIRMAN TRUESDELL'S recommendation. Even though the Commission would see the redesign, COMMISSIONER EVANS was concerned for approving the General Plan Amendment but holding in abeyance Item 39, Item 40 and Item 41 without knowing what the redesign entailed. ATTORNEY KEACH confirmed for VICE CHAIRMAN TRUESDELL that the developer would meet with the residents regarding their concerns.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 38 – GPA-5804

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing closed on Item 38 [GPA-5804], Item 39 [ZON-5809], Item 40 [VAR-5810] and Item 41 [SDR-5807].

(8:07 – 8:29)

2-1242

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5809 - REZONING RELATED TO GPA-5804 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC
- Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

58

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL - Motion to HOLD IN ABEYANCE - UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is currently under contract with Richmond American Homes

To be held in abeyance to the 2/24/2005 Planning Commission meeting

MINUTES:

See Item 38 [GPA-5804] for all related discussion on Item 38 [GPA-5804], Item 39 [ZON-5809], Item 40 [VAR-5810] and Item 41 [SDR-5807].

(8:07 – 8:29)

2-1242

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5810 - VARIANCE RELATED TO GPA-5804 AND ZON-5809 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Variance TO ALLOW 0.51 ACRES OF OPEN SPACE WHERE 1.09 ACRES IS THE MINIMUM AMOUNT REQUIRED IN CONJUNCTION WITH A PROPOSED 66-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 Units Per Acre) Zone], Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

58

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to HOLD IN ABEYANCE – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is currently under contract with Richmond American Homes

To be held in abeyance to the 2/24/2005 Planning Commission meeting

MINUTES:

See Item 38 [GPA-5804] for all related discussion on Item 38 [GPA-5804], Item 39 [ZON-5809], Item 40 [VAR-5810] and Item 41 [SDR-5807].

(8:07 – 8:29)

2-1242

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5807 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5804, ZON-5809, AND VAR-5810 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 66-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 Units Per Acre) Zone], Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

58

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to HOLD IN ABEYANCE – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting, is currently under contract with Richmond American Homes

To be held in abeyance to the 2/24/2005 Planning Commission meeting

MINUTES:

See Item 38 [GPA-5804] for all related discussion on Item 38 [GPA-5804], Item 39 [ZON-5809], Item 40 [VAR-5810] and Item 41 [SDR-5807].

(8:07 – 8:29)

2-1242

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5814 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the February 10, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 42 – GPA-5814

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ZON-5816 - REZONING RELATED TO GPA-5814 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), Ward 6 (Mack).

C.C.: 03/02/05**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the February 10, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 43 – ZON-5816

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5819 - VARIANCE RELATED TO GPA-5814 AND ZON-5816 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request for a Variance TO ALLOW 0.38 ACRES OF OPEN SPACE WHERE 0.78 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 47-UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED R-PD9 (Residential Planned Development - 9 Units Per Acre) Zone], Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the February 10, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 44 – VAR-5819

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR:** M. MARGO WHEELER☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SDR-5815 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5814, ZON-5816 AND VAR-5819 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request for a Site Development Plan Review FOR A PROPOSED 47-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED: R-PD9 (Residential Planned Development - 9 Units Per Acre) Zone], Ward 6 (Mack).

C.C.: 03/02/05**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.**
City Council Meeting

0

APPROVALS RECEIVED BEFORE:**Planning Commission Mtg.**
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the February 10, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 45 – SDR-5815

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5818 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALLEN, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 13.70 acres adjacent to the southeast corner of Coran Lane and Rancho Drive (a portion of APN 139-19-705-001), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 46 – GPA-5815

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5824 - REZONING RELATED TO GPA-5818 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALLEN, LLC - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 13.70 acres adjacent to the southeast corner of Coran Lane and Rancho Drive (a portion of APN 139-19-705-001), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 47 – ZON-5824

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5909 - REZONING RELATED TO GPA-5818 AND ZON-5824 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALLEN, LLC - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-1 (LIMITED COMMERCIAL) on 8.36 acres adjacent to the southeast corner of Coran Lane and Rancho Drive (a portion of APN 139-19-705-001), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 48 – ZON-5909

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-5823 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request to amend a portion of the Centennial Hills Sector Plan) of the General Plan FROM: O (OFFICE) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road (APN 138-03-510-001, 002 and 031), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letters of Support – Myra P. Coolican, Raymond P. Lanyon and (Illegible)

MOTION:

GOYNES – DENIED – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting is presently working for another company that the applicant owns and TRUESEDELL abstaining as his partner owns property within the Notification area

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 49 [GPA-5823], Item 50 [ZON-5827] and Item 51 [SDR-5826].

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 49 – GPA-5823

MINUTES – Continued:

STEVE SWANTON, Planning and Development, gave a brief overview of the application. Staff recommended denial, as the proposed General Plan Amendment would allow zoning districts that would not be compatible with the existing adjacent zoning districts.

RUSSELL SKUSE, R.S. Consulting, 7525 Hickam Avenue, appeared on behalf of the applicant. MR. SKUSE used the overhead to present the proposed project. He pointed out that the character of the neighborhood has changed, as the area at Lone Mountain to Craig Road and U.S. 95 to Rainbow Boulevard is master planned for Office use. He felt that the proposed project would be compatible with the surrounding neighborhood and create less traffic than Office use.

ROBERT EAGLE, 4686 Balsam Street; PAT TREICHEL, 6991 Red Coach Avenue; KEN ROGERS, 4668 Balsam Street; DAVE LEWIS, 4615 Balsam Street; BERNARD COMEAU, 4650 Balsam Street; GERALD TREICHEL, 6971 Red Coach Avenue; BEN GALLEGOS, 4661 Balsam Street; SHIRLEY COMPARONI, 4614 Balsam Street; ROGER KEHL, 4597 Balsam Street; VERLA WILSON, 4742 Balsam Street; RAY POTTER, 4595 Balsam Street and RALPH REELEY, 4722 Balsam Street, all expressed opposition to having apartments within their rural neighborhood, traffic congestion, having a two-story structure amid their one-story rural homes and egress/ingress issues for the nearby fire station when emergency situations arise. In addition, some residents did not appreciate the developer's approach regarding annexation, which they felt was a form of intimidation.

MR. SKUSE emphasized that the proposed project is not apartments rather single-story homes. Not to minimize the residents' concerns, he pointed out that the entrance point would only have an impact on one resident, PAT TREICHEL. There are no other homes along Red Coach Avenue and U.S. 95 Freeway. He submitted three letters of support from residents who reside on Balsam Street. Although not reflected on the Site Plan, MR. SKUSE also pointed out that the applicant's goal is to alleviate the traffic on Balsam Street and Red Coach Avenue by moving the traffic onto Lone Mountain Road.

In response, COMMISSIONER GOYNES pointed out some residents would probably accept Office use due to less traffic after normal business hours. He opposed the application, as to the east of the subject site is an upcoming condominium development, which would increase traffic on Rainbow Boulevard. In addition, the existing residents have invested in their homes and should be able to enjoy their lifestyle and not feel threatened by developers. Having the proposed ten units per acre adjacent to the residents' one and two-acre parcels would be inappropriate and incompatible.

MR. SKUSE responded that the applicant has tried to address the residents' concerns by orienting the building where the residents' privacy would not be invaded, as well as, working on keeping the traffic on Lone Mountain Road.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 49 – GPA-5823

MINUTES – Continued:

COMMISSIONER EVANS felt that the Office land use designation was an appropriate buffer, and he would not support the application.

Although he understood the residents' concerns, COMMISSIONER STEINMAN pointed out that they would still have traffic issues with an office complex. However, he could support the residents in having the land use designation remain as Office.

CHAIRMAN NIGRO also expressed concern with traffic and believed that access onto Balsam Street with an immediate left onto Lone Mountain Road would be more appropriate.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 49 [GPA-5823], Item 50 [ZON-5827] and Item 51 [SDR-5826].

(8:50 – 9:19)

2-2212

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5827 - REZONING RELATED GPA-5823 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road (APN 138-03-510-001, 002 and 031), Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letters of Support – Myra P. Coolican, Raymond P. Lanyon and (Illegible)

MOTION:

GOYNES – DENIED – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting is presently working for another company that the applicant owns and TRUESEDELL abstaining as his partner owns property within the Notification area

To be heard by the City Council on 3/02/2005

MINUTES:

See Item 49 [GPA-5823] for all related discussion on Item 49 [GPA-5823], Item 50 [ZON-5827] and Item 51 [SDR-5826].

(8:50 – 9:19)
2-2212

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5826 - SITE DEVELOPMENT PLAN REVIEW RELATED GPA-5823 AND ZON-5827 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 78-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road (APN 138-03-510-001, 002 and 031), R-E (Residence Estates) and U (Undeveloped) Zones [O (Office) General Plan Designation] [PROPOSED: R-PD10 (Residential Planned Development - 10 Units Per Acre) Zone], Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Letters of Support – Myra P. Coolican, Raymond P. Lanyon and (Illegible)

MOTION:

GOYNES – DENIED – UNANIMOUS with McSWAIN abstaining as her company, Terra Contracting is presently working for another company that the applicant owns and TRUESDELL abstaining as his partner owns property within the Notification area

To be heard by the City Council on 3/02/2005

MINUTES:

See Item 49 [GPA-5823] for all related discussion on Item 49 [GPA-5823], Item 50 [ZON-5827] and Item 51 [SDR-5826].

(8:50 – 9:19)
2-2212

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

MOD-5784 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Major Modification of the Lone Mountain West Master Development Plan TO CHANGE THE LAND USE DESIGNATION FROM: L (LOW DENSITY RESIDENTIAL) TO: MFM (MULTI-FAMILY MEDIUM RESIDENTIAL), AND TO AMEND TABLES #1, #2, #3 AND #4 (SECTION 2.2) TO REFLECT CHANGES TO THE LAND USE CATEGORIES AND NUMBER OF RESIDENTIAL UNITS on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	5
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 52 – MOD-5784

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5785 - REZONING RELATED TO MOD-5784 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 53 – ZON-5785

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5786 - VARIANCE RELATED TO MOD-5784 AND ZON-5785 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Variance TO ALLOW A PROPOSED 15-STORY BUILDING WHERE THREE STORIES IS THE MAXIMUM PERMITTED on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 54 – VAR-5786

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5792 - VARIANCE RELATED TO MOD-5784, ZON-5785 AND VAR-5786 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Variance TO ALLOW 168 PARKING SPACES WHERE 222 SPACES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 15-STORY RESIDENTIAL CONDOMINIUM DEVELOPMENT on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	5
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 55 – VAR-5792

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5781 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-5784, ZON-5785, VAR-5786 AND VAR-5792 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 15-STORY, 125-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 56 – SDR-5781

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5742 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: JAMEY L. STARCHER AND ALPHA C. STARCHER - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) on 0.16 acres at 610 Biltmore Drive (APN 139-27-810-021), Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by the City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the public hearing open.

GARY LEOBOLD, Planning and Development, gave an overview of the application.

JAMEY STARCHER, 610 Biltmore Drive, Las Vegas, stated that they have a single-family residence that was divided into three separate fully functional units under the same roof. He requested that their home be zoned Medium-Low Density Residential (R-2) and would like to install two additional electric meters. Their intent is to create a three-unit family rental, as two of the units would be rented and the applicant would occupy the remaining one. MR. STARCHER emphasized that their main request was to be able to have separate meters. MR. LEOBOLD responded that because the applicant has more than one dwelling, the appropriate process is to start with the request for rezoning to R-2.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 57 – ZON-5742

MINUTES – Continued:

RUSS UP, applicant's realtor, 4240 W. Flamingo Road, Ste. 200, Las Vegas, pointed out that most of the homes in the subject area are rentals. It was his opinion that the applicant's goal is to upgrade the neighborhood but do it in a legal manner. When the applicant researched the permit process, they could not receive permits, plans, etc. on the subject property. They were advised that the plans are kept up to a year. CHAIRMAN NIGRO clarified for the applicant that the issue is the zoning and not whether or not the unit was built to Code. He explained that with the current R-1 zoning, a renter could not reside in the home, as well as, the applicant. In addition, he also clarified that close proximity deals with what is happening on the applicant's street.

TODD FARLOW, 240 N. 19th Street, commented that two wrongs do not make a right, as the same issue existed within his neighborhood. He supported staff's recommendation for denial and preferred that the Code be enforced so that these older homes could be brought up to standard, which would enhance the older neighborhoods. DEPUTY CITY ATTORNEY BRYAN SCOTT informed MR. FARLOW that a property on Main Street, referred to as Gardens of Babylon, was in litigation.

COMMISSIONER GOYNES disagreed with having these homes in the subject area as rentals. He referenced that there will be future development in this area that would not include rentals, and he would not support this application.

If the alleged existing properties were being rented out in a legal manner, COMMISSIONER McSWAIN wondered if the area could remain as rentals if done as an overlay, which could possibly upgrade the quality of the neighborhood.

COMMISSIONER EVANS stated that although there may be other long-term plans for this area, but he knows property owners in the area who have invested in their properties and the homes are quite nice. The area is mature and has challenges but it is far from blighted. The requested spot zoning would conflict with the adjacent properties. ALPHA STARCHER, 610 Biltmore Drive, replied that when the property was purchased, the applicants thought it was R-2 because of multiple unit numbering on adjacent properties.

VICE CHAIRMAN TRUESDELL stated that research would have represented the area as R-1. This is the oldest residential area in the downtown. The neighborhood has great potential although several units do not conform to Code. If the integrity of the R-1 zoning is not maintained, it would be giving up on the neighborhood. He would not support the item.

COMMISSIONER GOYNES confirmed with MARGO WHEELER, Director, Planning & Development, that Code Enforcement will receive notice of possible violations in this area.

CHAIRMAN NIGRO declared the public hearing closed.

(9:19 - 9:32)

2-3759

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5769 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: GARETH J. SPICER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), Ward 1 (Moncrief).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; **STRIKE** Item 16 [GPA-5266] and Item 89 [DIR-5833]; and **WITHDRAW WITHOUT PREJUDICE** Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – **UNANIMOUS**

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5770 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5769 - PUBLIC HEARING - APPLICANT/OWNER: GARETH J. SPICER - Request for a Site Development Plan Review FOR A PROPOSED 1,688 SQUARE-FOOT COMMERCIAL USE AND WAIVERS OF COMMERCIAL DEVELOPMENT STANDARDS FOR PERIMETER, FOUNDATION AND PARKING LOT LANDSCAPING; A WAIVER TO ALLOW A 27-FOOT FRONT SETBACK WHERE 20 FEET IS REQUIRED; AND A WAIVER TO ALLOW A 6.2-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A COMMERCIAL USE on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; **STRIKE** Item 16 [GPA-5266] and Item 89 [DIR-5833]; and **WITHDRAW WITHOUT PREJUDICE** Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – **UNANIMOUS**

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 59 – SDR-5770

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5796 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: SHELDON W. PAUL AND RAYMOND MARK TURNER - Request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 5.0 acres adjacent to the northwest corner of Grand Canyon Drive and Alexander Road (APN 138-06-401-006), Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 60 [ZON-5796] and Item 61 [SDR-5797].

STEVE SWANTON, Planning & Development Department, gave a brief overview of the applications.

JIM THOMAS, 3343 Meade Avenue, appeared on behalf of the applicant and concurred with all conditions.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 60 – ZON-5796

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing closed on Item 60 [ZON-5796] and Item 61 [SDR-5797].

(9:33 – 9:34)

3-500

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two (2) year time limit.
2. A Site Development Plan Review application (SDR-5797) for a nine lot single-family residential subdivision approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Alexander Road, 40 feet for Grand Canyon Drive and a 54-foot radius corner at the northwest corner of Alexander Road and Grand Canyon Drive.
4. Construct half-street improvements on Grand Canyon Drive, including appropriate overpaving, and all incomplete half street improvements on Alexander Road adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Coordinate with the City Engineer's office regarding possible impacts from the proposed Alexander Road/Hualapai Way Road Improvement Project, Cheyenne Avenue to Durango Drive.
6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine offsite sewer requirements. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 60 – ZON-5796

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5797 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5796 - PUBLIC HEARING - APPLICANT/OWNER: SHELDON W. PAUL AND RAYMOND MARK TURNER - Request for a Site Development Plan Review FOR A PROPOSED NINE LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.0 acres adjacent to the northwest corner of Grand Canyon Drive and Alexander Road (APN 138-06-401-006), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 4 (Brown).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

See Item 60 [ZON-5796] for all related discussion for Item 60 [ZON-5796] and Item 61 [SDR-5797].

(9:33 – 9:34)
3-500

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 61 – SDR-5797

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5796) to an R-PD2 Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, except as amended by conditions herein.
4. Building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house and garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect a typical street section of Grand Canyon Drive with a 6-foot landscape buffer adjacent to a 5-foot sidewalk, as well as include a perimeter wall detail.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the removal of the access control gates, unless in conformity with Clark County Uniform Standard Drawings 222a; The landscape plan shall also be revised to reflect a consistent legend with the full size plan and typical drawings, as well as to reflect identical lot sizes with the site plan.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 61 – SDR-5797

CONDITIONS – Continued:

11. All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height, measured from the base of the retaining wall, without appropriate step backs.
12. All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height, measured from the base of the retaining wall, without appropriate step backs.
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 61 – SDR-5797

CONDITIONS – Continued:

requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. We note the proposed access driveway to Grand Canyon Drive cannot be gated as depicted on the site plan.
20. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. Landscape and maintain all unimproved right-of-way adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located within the public right-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-5796 and all other applicable site-related actions.
25. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5817 - REZONING - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS -
Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: R-MHP (RESIDENTIAL MOBILE/ MANUFACTURED HOME PARK) on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), Ward 3 (Reese).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 62 [ZON-5817], Item 63 [VAR-5825] and Item 64 [SDR-5821].

GARY LEOBOLD, Planning & Development Department, gave a detailed overview of the applications, indicating the original application for 37 units had expired. The new request is for 51 units, but staff believed that number combined with a reduction of pad sites would overbuild the site.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 62 – ZON-5817

MINUTES – Continued:

CLAYTON NEILSON, Nevada By Design, 3515 East Harmon Avenue, appeared on behalf of the applicant and indicated that the Housing Authority was trying to maximize the site to provide much needed affordable senior housing. MR. NEILSON asked that the condition that required the lots to be 65-feet wide adjacent to the existing homes be reduced as the widest mobile home is only 28-feet wide and the space saved could be used for additional housing. He asked that some landscaping conditions be amended because the homeowners association would incur the maintenance expense and that could be costly. He asked to work with staff to resolve the landscaping issue.

SELMA CLARK, Rulon Earl Mobile Manor Resident Council member, stated that the residents of the park look forward to having homes on the subject lot because it has become a popular haven for undesirable individuals. She said 17 prospective tenants are in line for the proposed project. She supported the project and asked the Commission to approve the items.

TODD FARLOW, 240 North 19th Street, indicated that his concern pertained to the removal of the bike trail from the site. MR. NEILSON informed him it was still shown on the plans and the proposed project would not encroach onto it. MR. FARLOW asked that the trail be renovated.

CHAIRMAN NIGRO explained that the 65-foot requirement would create a compatible transition with the adjacent lots. The landscaping condition already provided for the applicant to work with staff as MR. NEILSON requested.

VICE-CHAIRMAN TRUESDELL discussed with MR. NEILSON that the original applications expired because of a delay resulting from legislation that prohibited this type of project from being master metered for water. Costly individual metering was prohibitive for the Housing Authority and required a legislative revision.

COMMISSIONER McSWAIN confirmed with MR. NEILSON that the park would be age-restricted for individuals 55 and older. COMMISSIONER STEINMAN confirmed with ASHOK MARATHI, Development Director, Housing Authority, that tenants would have an income requirement and that there would be a rental restriction that no more than 30 percent of the tenant's income could be charged for rent. MR. MARATHI emphasized the need for more housing and asked that the 51 lots be approved.

COMMISSIONER EVANS stated that he would not be able to support 51 lots because that would conflict with the City Council's previous approval for a maximum of 37 lots. MARGO WHEELER, Director, Planning and Development, informed the Commission that approval of 51 lots would require the deletion of Condition 4.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 62 – ZON-5817

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing closed on Item 62 [ZON-5817], Item 63 [VAR-5825] and Item 64 [SDR-5821].

(9:34 – 9:57)

3-567

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two (2) year time limit.
2. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5825 - VARIANCE RELATED TO ZON-5817 - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Variance TO ALLOW 3,000 SQUARE-FOOT MINIMUM SPACES WHERE 4,000 SQUARE FEET IS THE MINIMUM REQUIRED AND TO ALLOW 40-FOOT WIDE SPACES WHERE 45 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED MOBILE HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

See Item 62 for related discussion on Item 62 [ZON-5817], Item 63 [VAR-5825] and Item 64 [SDR-5821].

(9:34 – 9:57)

3-567

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 63 – VAR-5825

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5817) and Site Development Plan Review [SDR-5821].
2. Submit a revised site plan indicating the reduction in the number of lots to comply with the General Plan and increase the width of the lots along the east property line prior to the application for a building permit, as required by the Planning and Development Department.
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5821 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5817 AND VAR-5825 - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 51-PAD MOBILE/MANUFACTURED HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEL – APPROVED subject to conditions and deleting Condition 4 – Motion carried with EVANS voting NO – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

See Item 62 [ZON-5817] for related discussion on Item 62 [ZON-5817], Item 63 [VAR-5825] and Item 64 [SDR-5821].

(9:34 – 9:57)

3-567

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 64 – SDR-5821

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-5817] to a R-MHP (Residential Mobile/Manufactured Home Park) Zoning District and Variance [VAR-5825] approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for civil plans, to reflect the addition of three handicap parking spaces and the distribution of guest parking throughout the site in accordance with Title 19.10.010 (F).
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for civil plans, to reflect the increasing of lot widths along the east property line to 65 feet wide to align with existing development, as to provide a smoother transition to the new project.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for civil plans, to reflect the addition of two points of pedestrian access, or gates, be added to connect this project to the I-515 trail, which is located immediately to the west of the project.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for civil plans, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, as well as the landscape plan shall reflect size of the plant materials within the legend.
7. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 64 – SDR-5821

CONDITIONS – Continued:

- site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
 11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
 12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
 13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
 14. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
 15. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 64 – SDR-5821

CONDITIONS – Continued:

Public Works

16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of construction drawings.
19. Site development to comply with all applicable conditions of approval for ZON-5817 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5808 - VARIANCE - PUBLIC HEARING - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Variance TO ALLOW A 37-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 84 FEET FOR A PROPOSED OFFICE/WAREHOUSE DEVELOPMENT on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road (APN 138-02-102-012), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved with Richmond American Homes

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 65 [VAR-5808] and Item 66 [SDR-5813].

STEVE SWANTON, Planning & Development Department, gave a brief overview of the applications.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 65 – VAR-5808

MINUTES – Continued:

MARY VENABLE, Perkowitz & Ruth Associates, 3980 Howard Hughes Parkway, Suite 450, appeared on behalf of the applicant and agreed to all conditions with the exception of a condition requiring a landscaping buffer in the 45-degree corners. She explained the Variance request was necessary because the lot is long and narrow and the building must be situated closer to the residential. The alternative of moving the building closer to the street would force traffic through the residential development and that would negatively affect neighbors.

CHAIRMAN NIGRO confirmed with MS. VENABLE that the site would have an eight-foot tall wall on the back property line with a six-foot wall around the remaining perimeter.

VICE-CHAIRMAN TRUESDELL voiced concerns that the “as approved” conditions would not restrict outside storage on the property. MS. VENABLE assured him that the intent of the project is to provide storage to tenants who might normally have an outside storage facility off premise. VICE-CHAIRMAN TRUESDELL confirmed with MS. VENABLE that the hours of operation would be daytime hours only. He indicated he would like to see conditions added restricting the outside storage and establishing daytime hours for deliveries and a restriction on adult businesses and taverns. MS. VENABLE stated the applicant would be agreeable to such conditions.

There was discussion regarding the demand for this type of facility in the Valley.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 65 [VAR-5808] and Item 66 [SDR-5813].

(9:57 – 10:09)
3-1350

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5813).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5813 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5808 - PUBLIC HEARING - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Site Development Plan Review FOR A PROPOSED 38,000 SQUARE-FOOT OFFICE/WAREHOUSE DEVELOPMENT AND FOR A WAIVER OF THE BUILDING PLACEMENT, PERIMETER, AND PARKING LOT LANDSCAPING REQUIREMENTS on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road (APN 138-02-102-012), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESEDELL – APPROVED subject to conditions and adding the following conditions:

- *No outside storage shall be permitted on the site.*
- *All deliveries shall be made between 9:00 a.m. and 5:00 p.m.*
- *No taverns or adult businesses shall be permitted on the site.*
- *An eight-foot block wall shall be constructed along the east property line.*

– **UNANIMOUS** with McSWAIN abstaining because her company, Terra Contracting, is involved with Richmond American Homes

To be heard by City Council 3/02/2005

MINUTES:

See Item 65 [VAR-5808] for related discussion on Item 65 [VAR-5808] and Item 66 [SDR-5813].

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 66 – SDR-5813

MINUTES – Continued:

(9:57 – 10:09)
3-1350

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
2. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 01/18/05, except as amended by conditions herein.
3. No warehouse use as defined in Title 19.20 shall be permitted on the subject property.
4. Trash enclosures shall be roofed in accordance with Title 19.08.045.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers.
6. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 66 – SDR-5813

CONDITIONS – Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
13. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
14. Construct sidewalk on at least one side of the access drive connecting this site to the adjacent public street concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.
16. Landscape and maintain all unimproved right(s)-of-way on Rancho Drive adjacent to this site.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 66 – SDR-5813

CONDITIONS – Continued:

concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5768 - VARIANCE - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: S.F. INVESTMENTS, LLC - Request for a Variance TO ALLOW A SIDE YARD SETBACK OF FOUR FEET WHERE FIVE FEET IS THE MINIMUM ALLOWED (LOT 3) AND A REAR YARD SETBACK OF 11 FEET WHERE 15 FEET IS THE MINIMUM ALLOWED (LOT 26) adjacent to the north and south sides of Peak Drive, west and east of Maverick Street (APN 138-14-601-029 and 138-14-701-002), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single-Family Residential) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter for SDR-3235

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is involved with Royal Construction, a contractor involved with the project

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 67 – VAR-5768

MINUTES – Continued:

RUSSELL SKUSE appeared on behalf of the applicant and explained the applicant is requesting relief on two, irregular shaped lots. At the time of original submittal, the applicant did not know the single story design would not fit on the two lots in question.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:09 – 10:12)

3-1846

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3119) and Site Development Plan Review [SDR-3235].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5795 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BRUCE STEVEN GILBERT - Request for a Variance TO ALLOW A FOUR-FOOT WROUGHT IRON FENCE (50% OPEN) ON TOP OF A TWO-FOOT HIGH SOLID WALL WHERE FOUR FEET (TOP TWO FEET, 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED IN THE FRONT YARD on 0.17 acres at 1924 South Sixth Street (APN 162-03-315-039), R-1 (Single-Family Residential) Zone, Ward 3 (Reese).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Petition of Support from Bruce Gilbert
6. Submitted at meeting but not included in backup – Nine Polaroid Pictures of Fences Around Subject Property that Exceed Four Feet in Height from Bruce Gilbert

MOTION:

McSWAIN – APPROVED subject to condition – Motion carried with EVANS voting NO

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 68 – VAR-5795

MINUTES – Continued:

BRUCE GILBERT, 1924 South 6th Street, concurred with conditions and outlined his experiences with theft, vagrants and other criminal activities that have caused hardship and justify the requested fence. He submitted a petition of support from his surrounding neighbors showing support of the application.

TODD FARLOW, 240 North 19th Street, was concerned that MR. GILBERT had removed the fruit trees from his property. MR. GILBERT replied that he was having a problem with homeless people trespassing to get fruit off of the trees.

COMMISSIONER EVANS stated he could not support the Variance allowing a six-foot fence when Code allows four feet although he understood MR. GILBERT'S concerns.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:12 – 10:20)

3-1975

CONDITION:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5812 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ALBERT & KAMRAN INVESTMENTS, LLC - Request for a Variance TO ALLOW A TRASH ENCLOSURE TO BE ZERO FEET FROM A PROTECTED RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 50 FEET FOR AN APPROVED RETAIL DEVELOPMENT on 0.43 acres at 2187 North Decatur Boulevard (APN 138-24-611-073), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with TRUESDELL voting NO

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

JOHN CAPLE, Comfort General Contracting, 2821 Glen Devon Circle, appeared on behalf of the applicant and concurred with all conditions. He explained approval of the Variance would result in an extra parking space for the applicant and would make access easier for trucks

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 69 – VAR-5812

MINUTES – Continued:

entering the site from Decatur Boulevard. MR. CAPLE stated a 14-foot oleander shrub would separate the trash enclosure from the adjacent residential property.

HAPPY ROSS, 4853 Eugene Avenue, stated his property is adjacent to the site and the alley separating his property from the subject property has always been accessible to him. He explained that the proposed wall would result in the loss of a parking space he has had in that alley since purchasing his home. CHAIRMAN NIGRO clarified that the area MR. ROSS was considering an alley was included in the parcel of the subject site and although he had been using it as an alley for some time, it was not one.

COMMISSIONER McSWAIN confirmed with MR. CAPLE that the trash enclosure would be covered.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:20 – 10:27)

3-2430

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-1787) and Site Development Plan Review [SDR-1789].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

3. Dimensions and information presented on the civil improvement plans should match the approved site layout. The civil improvement plans may not match the proposed layout. Revise drawings as necessary.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5783 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JLM REALTY - OWNER: SPANISH OAKS PLAZA, LIMITED PARTNERSHIP, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF A 316,445 SQUARE-FOOT RESIDENTIAL CONDOMINIUM COMPLEX WITH 17,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL FLOOR AREA adjacent to the northwest corner of Sahara Avenue and Richfield Boulevard (APN 162-05-403-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 70 – SUP-5783

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:11)

1-70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5779 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5783 - PUBLIC HEARING - APPLICANT: JLM REALTY - OWNER: SPANISH OAKS PLAZA, LIMITED PARTNERSHIP, ET AL - Request for a Site Development Plan Review FOR A PROPOSED THREE-BUILDING, SEVEN-STORY, 316,445 SQUARE-FOOT RESIDENTIAL CONDOMINIUM COMPLEX WITH 17,000 SQUARE FEET OF GROUND FLOOR COMMERCIAL FLOOR AREA AND FOR A WAIVER FROM THE GROUND FLOOR NON-RESIDENTIAL REQUIREMENT on 6.65 acres adjacent to the northwest corner of Sahara Avenue and Richfield Boulevard (APN 162-05-403-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; **STRIKE** Item 16 [GPA-5266] and Item 89 [DIR-5833]; and **WITHDRAW WITHOUT PREJUDICE** Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – **UNANIMOUS**

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 71 – SDR-5779

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:11)

1-70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: XIAO PING WANG, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND A WAIVER OF THE REQUIRED 400-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND RESIDENTIAL ZONING at 570 South Decatur Boulevard (APN 138-36-701-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of opposition from Greg Johnson

MOTION:

TRUESDELL – APPROVED subject to conditions and adding the following conditions:

- *There shall be no signage on the rear of the building.*
- *There shall be no customer access from the rear of the building.*

– **UNANIMOUS** with McSWAIN abstaining because her company, Terra Contracting, does work for the Beckers, who own the shopping center and DAVENPORT abstaining because the Beckers are his neighbors

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 72 – SUP-5739

MINUTES – Continued:

STEVE SWANTON, Planning & Development Department, gave a detailed overview of the application.

EDDIE RAINES, Rainman Consulting, 3516 Flinthead Drive, appeared on behalf of the applicant and concurred with all conditions.

FRANCIS THOMAS, Director, A Small Wonder Preschool, 5100 Alta Drive and TRUDE and GREG JOHNSON, Co-owners, A Small Wonder Preschool 7669 Keating Circle, submitted a petition of opposition and voiced concerns over the increased traffic this project would produce. Traffic affects the children of the preschool when walking for field trips, the parents driving the children to and from the school and would endanger the pedestrian traffic from the housing across the street. They also felt the usage of this application would diminish the hard work and renovations recently completed within the older neighborhood.

MR. RAINES informed the Commission that the application is for an establishment with six treatment rooms. The traffic generated by the usage would not substantially increase the traffic in this established shopping center. CHAIRMAN NIGRO agreed that the shopping center traffic would not be greatly intensified.

COMMISSIONER McSWAIN confirmed with MR. RAINES that the applicant is a licensed, professional massage therapist and has operated other establishments without incident. The use would be for massage only and no other spa treatments would be offered.

VICE CHAIRMAN TRUESDELL suggested that conditions be added that no signage or customer access be allowed on the rear side of the building facing the residential area. The applicant concurred with the additional conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:27 – 10:39)

3-2637

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Massage Establishment use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 72 – SUP-5739

CONDITIONS – Continued:

3. All City Code requirements and design standards of all City departments must be satisfied.
4. A Waiver is approved to the distance separation standard from residential uses.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5740 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WORKS4ME, DURANGO, INC. - OWNER: PPLAND, LIMITED PARTNERSHIP -
Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE 50-ACRE MINIMUM SITE AREA REQUIREMENT adjacent to the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; STRIKE Item 16 [GPA-5266] and Item 89 [DIR-5833]; and WITHDRAW WITHOUT PREJUDICE Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 73 – SUP-5740

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:11)

1-70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5761 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HIRMIS B. HARON - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITHIN AN EXISTING GROCERY STORE AND A WAIVER OF THE 200-FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE at 2021 East Stewart Avenue (APN 139-35-611-086 and 087), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and adding the following conditions:

- *No outside signage may advertise check cashing*
- *Approval is for check cashing only. There shall be no payday loans.*

– UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 74 – SUP-5761

MINUTES – Continued:

DAVE EDER, Nevada Gaming Application Consultants, 777 East Quartz Avenue, appeared on behalf of the applicant and clarified that the applicant is requesting approval for check cashing only. There would be no payday loans or contract loan usage. The location has been in existence since the 1960's and has been cashing paychecks since 1971. The applicant wants to continue to offer that service to his clients.

TODD FARLOW, 240 North 19th Street, stated that he attended the meeting to speak against this item; however, since it would be for check cashing only, he had no objection. MR. FARLOW commended the property owner for cleaning up the property.

KATHY JACOBSON, 237 North 20th Street, appeared on behalf of the Church Noblitt Neighborhood Association, which strongly opposed any type of payday loan center in the neighborhood. She explained that her organization has no problem with a check cashing operation; however, they were concerned that individuals leaving the market could become targets for robbery. MR. RAINES informed her that there is security on the premises and that check cashing has been offered at this location for years without incident.

COMMISSIONER DAVENPORT wanted to add a condition that approval would be for check cashing only and that there would not be any outdoor signage advertising check cashing. MR. RAINES agreed added condition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:39 – 10:48)

3-3267

CONDITIONS:

Planning and Development

1. A Waiver of the separation requirement of a Financial Institution, Specified from a residential use.
2. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Compliance with all City code requirements and design standards of all City departments.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5771 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE SALES) at 6700 West Charleston Boulevard, Suite F (APN 138-34-820-014), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

20

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions and adding the following conditions:

- *The sale of alcoholic beverages shall be limited to beer and wine only.*
- *The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. There shall be no repackaging.*

– UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 75 – SUP-5771

MINUTES – Continued:

MIGUEL NUNEZ appeared and concurred with all conditions.

LINDA WISCHMEYER, Grubb and Ellis Las Vegas, 3800 Howard Hughes Parkway, appeared on behalf of the property owner and informed the Commission that the owner supported the application.

VICE CHAIRMAN TRUESDELL stated that historically, the board has conditioned convenience stores for beer and wine sales only. He would not support hard liquor sales. It was agreed that standard conditions would be imposed limiting the type of sales and prohibiting individual sales. MR. NUNEZ agreed to the added conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:48 – 10:51)

3-3798

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-sale) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5799 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CAFE DE TOUT - OWNER: TRIPLE FIVE INTERCONTINENTAL, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (ON-PREMISE CONSUMPTION) at 9330 West Sahara Avenue, Suite #160 (APN 163-06-816-019), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions and adding the following condition:

- *The applicant shall submit a revised parking study that reflects the increase in square footage of the structure.*
- UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application and indicated a condition should be added that required the applicant to resubmit a revised parking study reflecting the floor plans being reviewed during the meeting.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 76 – SUP-5799

MINUTES – Continued:

TABITHA KEACH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions including the resubmittal of the revised parking study.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:51 – 10:54)

4-180

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On-sale) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5802 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MICHELLE GOMEZ - OWNER: MARK H. MINTZ AND THE MINTZ FAMILY TRUST OF 1992 - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB at 2100 Fremont Street (APN 139-35-803-015), C-2 (General Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

JAY BROWN, Attorney, Singer & Brown, 520 South 4th Street, appeared on behalf of the applicant and concurred with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:54 – 10:56)

4-271

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 77 – SUP-5802

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be subject to a one (1) year review.
2. Conformance to all minimum requirements under Title 19.04.050 for a Supper Club use.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
4. Conformance to the Conditions of Approval of Required Review [U-0008-99(1)] and Special Use Permit (U-0008-98).
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. Approval of this Special Use Permit does not constitute approval for the expansion of the existing building. Any expansion shall be subject to the approval process described in Title 19.18.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. A landscape buffer and 42" parking lot screen fence shall be installed along the Fremont Street property frontage in accordance with Subsection DS3.1.g. of the Downtown Centennial Plan. The screen fence shall conform with the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
9. Any trash enclosure on the site shall be walled and roofed in accordance with the requirements listed in Title 19.08.045.
10. All City Code requirements and design standards of all City departments must be satisfied. Public Works
11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the issuance of a Certificate of Occupancy.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5904 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: D.2801 WESTWOOD, INC. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF MINIMUM DISTANCE SEPARATION REQUIREMENTS at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with TRUESDELL and EVANS voting NO

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Planning and Development Department, stated that staff's recommendation on the previous application in 2002 was for denial, and such is the same recommendation on this application. She referred to DEPUTY CITY ATTORNEY BRYAN SCOTT for further details.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 78 – SUP-5904

MINUTES – Continued:

DEPUTY CITY ATTORNEY SCOTT stated in April of 2000, a Special Use Permit for a tavern was granted on the site by the Las Vegas City Council. Prior to City Council granting the Special Use Permit, the City Attorney's Office recommended to the City Council that it count the two taverns within the County's jurisdiction as being within that proposed tavern's 1,500-foot distance separation requirement. The City Council rejected that interpretation of the Code and determined that the County tavern locations should not be considered in the 1,500-foot distance separation. In this instance, the City Attorney's Office recommendation is to remain consistent with the City Council's policy and not count the two County taverns as being within the 1,500-foot distance separation. There have been no changes in this area, and the same taverns that existed in 2000 exist in the same locations today.

KATHLEEN JANSSEN, Dominic P. Gentile, LTD., 3960 Howard Hughes Parkway, appeared on behalf of the applicant. She requested the Commission's approval on the application.

Responding to COMMISSIONER McSWAIN'S inquiry regarding complaints relative to the proximity between the subject parcel and other properties in the County, GARY LEOBOLD explained that he could only confirm that there were no complaints relative to this application. COMMISSIONER McSWAIN then stated she would support the application. If the subject site were in a different location with a greater impact on residential, she would have concerns.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:34 – 6:36)

1-1083

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to all Minimum Requirements under Title 19.04.050.B for a Liquor Establishment (Tavern) use.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. Waiver of the 1,500-foot distance separation requirement from Palace Station and the Children's Choice Learning Center (childcare facility) located on the opposite side of Interstate 15 is hereby granted.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 78 – SUP-5904

CONDITIONS – Continued:

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. Conformance with all other City code requirements and design standards of all City departments.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5682 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: SYUFY ENTERPRISES -
Required Two-Year Review of an approved Special Use Permit (U-0136-90) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5183 West Charleston Boulevard (APN 163-01-502-008), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for U-0136-90

MOTION:

McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, gave a brief overview of the application. He indicated the billboard is no longer compatible with the area because the site is being planned as a new retail development.

ROD CARTER, Clear Channel Outdoor, 2880-B Lake Mead Avenue, Suite 350, appeared on behalf of the applicant and requested approval. He said the applicant is aware of the proposed

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 79 – RQR-5682

MINUTES – Continued:

development and offered to keep the structure compatible with the surrounding area. It has been at this location since 1990 and received approval at every required review.

COMMISSIONER McSWAIN said that in her opinion, the billboard has never been compatible with the area because of the approximation to residential. She found it even more incompatible with the proposed redevelopment of the lot.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:56 – 10:58)

4-335

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5741 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALLEN, LLC - Required Two-Year Review of an approved Special Use Permit (U-0080-96) WHICH ALLOWED FOUR (4) 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the east side of Rancho Drive, south of Coran Lane (APN 139-19-705-001), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for U-0080-96

MOTION:

TRUESEL – APPROVED subject to conditions, amending the following condition:

2. The Special Use Permit shall be reviewed in *one (1) year* at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premises Advertising (Billboard) Sign is removed.

and adding the following condition:

- *The billboards are to be removed at the time of issuance of a grading permit.*

– UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 80 – RQR-5741

MINUTES – Continued:

STEVE SWANTON, Planning & Development Department, gave a brief overview of the application. He indicated staff recommended denial because the billboard is located on vacant property and has no advertising copy.

TABITHA KEACH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and clarified that the site has two billboards, not four, as indicated in the subject line of the item. She explained that the applicant purchased the property in August; however, the previous owner, Boyd Gaming, retained ownership of the billboards for three months after that. The applicant is holding off on development plans but requested the opportunity to offset some of the costs of holding onto the vacant land by advertising on the two remaining billboards. The applicant is amenable to a condition requiring a one-year review.

LENI SKAAR, 1833 Crystal Chimes Circle, stated she lives in the neighborhood and was at the Planning Commission meeting when the original billboard items were heard. During that meeting, the owners agreed the billboards would only advertise Boyd properties. They also agreed that when development took place on the site, the billboards would be removed without question. She wanted to be sure those conditions were remembered when a site plan came before the board.

ATTORNEY KEACH was unable to agree to the advertising restriction. She explained the current owner was interested in advertising for the nearby Texas Station Casino, which was not a Boyd Gaming property. She assured the Commission that the applicant is not interested in entering into a third party agreement with another ad agency. ATTORNEY KEACH also committed that the billboards would be removed once development progresses on the property. DEPUTY CITY ATTORNEY BRYAN SCOTT indicated that he would be hesitant to restrict advertising copy due to content regulation.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:58 – 11:08)

4-411

CONDITIONS:

Planning and Development

1. This review shall only apply to the two remaining Off-premises Advertising (Billboard) Signs on this site.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 80 – RQR-5741

CONDITIONS – Continued:

- notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premises Advertising (Billboard) Sign is removed.
3. If the existing Off-premises Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-premises Advertising (Billboard) Sign shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
 4. The Off-premises Advertising (Billboard) Signs and supporting structures shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premises Advertising (Billboard) Signs.
 5. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5767 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY - Required Two-Year Review of an approved Special Use Permit (U-0052-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 336 West Sahara Avenue (APN 162-04-807-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 03/02/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for U-0052-95

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS voting NO

This is Final Action

NOTE: VICE CHAIRMAN TRUESDELL disclosed that he owned property in the downtown area. It was not within the notification area and did not conflict with this item, so he would be voting.

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 81 – RQR-5767

MINUTES – Continued:

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and disagreed with staff recommendation. The sign has been in this location for ten years has been maintained in accordance with its original conditions. There would be no adverse affects to the mixed-use condominiums nearby.

COMMISSIONER McSWAIN stated that the area is clearly in transition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:08 – 11:11)

4-725

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TMP-5798 - TENTATIVE MAP - FRANKLIN PARK AT PROVIDENCE - PUBLIC HEARING - APPLICANT/OWNER: COLEMAN-TOLL, LIMITED PARTNERSHIP -
 Request for a Tentative Map FOR A 234-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND WAIVERS OF TITLE 18.12.105 FOR A 350-FOOT PRIVATE DRIVE WHERE A MAXIMUM OF 200 FEET IS ALLOWED AND A WAIVER OF TITLE 18.12.160 FOR INTERNAL INTERSECTION OFFSETS OF APPROXIMATELY 84 FEET AND 104 FEET WHERE A MINIMUM OF 125 FEET IS REQUIRED on 40.3 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road (APN 126-13-410-001), PD (Planned Development) Zone [L (Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Providence Density Study Handout

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 82 – TMP-5798

MINUTES – Continued:

GARY LEOBOLD, Planning & Development Department, gave a detailed overview of the application, including staff concerns regarding the deviations from standards by this new type of development for which waivers would be required.

ATTORNEY RUSSELL ROWE, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the master developer and concurred with all conditions. He stressed that the developer has done considerable work with staff regarding the new type of development, which involves two types of gated product. ATTORNEY ROWE reviewed various renderings for both large, high quality products. The development exceeds the City's open space requirement and includes enhanced streetscaping. He explained and demonstrated the justification for the exception to Title 18 setbacks. Concerns with traffic movement at the intersections have been addressed in the plan and are not opposed by Traffic Engineering or the Fire Department. All other possible deviations are actual design issues over which the developer has full discretion through the authority granted by the Master Plan Agreement approved by the City Council in March 2004. MR. LEOBOLD clarified the open space requirement of the City was not met but the Cliffs Edge standards are what apply to this project.

ATTORNEY ROWE disputed MR. LEOBOLD'S comments regarding density stating the planned density is clearly within the flexible density of 7.82 units provided for in the agreement. He summarized the handout demonstrating that the overall approved projects density totaling 5.77 and pending projects' densities which would bring the total to 6.43 units to the acre.

ATTORNEY ROWE gave a lengthy explanation of the lot and setback design where one property owner gives the adjacent owner an exclusive use easement to allow for important front porch and patio features. The applicant committed to making sure that buyers are notified of the easement by taking three steps. First, the buyers will execute a separate endorsement during escrow. Second, a notice will be posted in the garage. Finally, information regarding the easement would be included, in detail, in the CCNR's for the community. Additional comfort exists for the City when such projects are developed by established developers such as this one and the project provides for strong homeowner associations, such as similar projects in Queensridge and Summerlin.

COMMISSIONER McSWAIN confirmed with MR. ROWE that the use easement is preferable to a zero lot line which would prohibit windows or any similar architectural features and roof extensions. These amenities are important to the master builder in creating aesthetically pleasing streetscapes. The designs allow the developer to de-emphasize the garages and create porches and walk ability in the front of the homes. The Commissioner also confirmed with MR. ROWE that the person who receives the benefit of the easement must maintain and insure that easement.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 82 – TMP-5798

MINUTES – Continued:

MR. ROWE suggested that since the project was approaching the required one-year review, instead of having a written review, the applicant could submit a revised master plan to reflect what currently exists if the density had been changed. Doing so would keep the City informed about changes made that did not require City approval. MR. LEOBOLD indicated the product was very nice but did not currently meet what was in the Cliffs Edge Plan. That is why staff requested the applicant make updates to the plan for the required review, which is now due.

COMMISSIONER McSWAIN stated she could support the exclusive use agreement because it is permitted within the Code and the applicant is going to great lengths to make the buyer aware.

CHAIRMAN NIGRO and VICE CHAIRMAN TRUESDELL voiced concerns over having too many waivers to the master plan and then the final product being less than what the community and City originally anticipated. The purpose of the master plan was to result in a great product and each adjustment and waiver could diminish the final product. MR. ROWE assured them that the City's hands are not tied by the development agreement but that the deviations in question happened to fall into a category that is within the authority of the master plan developer.

ATTORNEY ROWE indicated CHRIS MYERS, Vice President of Operations for Toll Brothers, DAVE BROWNING, Assistant Project Manager for Providence, and WILLIAM NEIGHBORS, engineer with G.C. Wallace, were present with him.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:11 – 11:53)

4-811

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning applications (ZON-2184, ZON-1520 and ZON-3241), the Cliff's Edge Master Development Plan and Design Standards, and the Cliff's Edge Development Agreement, as well as the conformance to the 12/14/04 date stamped plans.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 82 – TMP-5798

CONDITIONS – Continued:

3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting the cross section of the entrance to the subdivision having a minimum 24 foot width (flow line to flow line) on both sides of the island shall be approved by the Planning and Development Department and Public Works Department staff.
4. A lot fit analysis shall be submitted prior to the recordation of the Final Map.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Grant pedestrian access easements for all sidewalks located outside of the public street right-of-way.
10. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 82 – TMP-5798

CONDITIONS – Continued:

11. If not already constructed by the Master Developer, construct the full width street improvements on Puli Road and half street improvements on Shaumber Road, including appropriate overpaving, adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
12. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way on Puli Road and Shaumber Road adjacent to this site concurrent with development of this site.
13. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements in the Puli Road and Shaumber Road public rights-of-way adjacent to this site.
14. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Provide public sewer easements for all public sewers not located within existing public street right-of-way, and across common lots including east of lot 84, north of lot 1 and south of lot 17, prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
17. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
18. Private drive aisles shall be labeled as "private drives". Private streets and private drives must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 82 – TMP-5798

CONDITIONS – Continued:

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
22. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, the "Sight Distance Along Shaumber Road within Cliff's Edge" design document dated March 4, 2004 and all other applicable site-related actions.
23. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5774 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MARCO BRAMBILLA - OWNER: TOROS YERANOSIAN - Request for a Site Development Plan Review FOR A PROPOSED 30,000 SQUARE-FOOT COMMERCIAL/RETAIL BUILDING AND A WAIVER OF FOUNDATION LANDSCAPING on 2.13 acres adjacent to the east side of Rancho Drive, approximately 1,160 feet north of Torrey Pines Drive (APN 138-02-102-004), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions and adding the following condition:

- *The applicant shall submit a turn-around plan for approval by the City Traffic Engineer.*
- UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 83 – SDR-5774

MINUTES – Continued:

CARBON AZARIA, 109 East Harvard Street, Glendale, California, appeared on behalf of the applicant and concurred with all conditions.

VICE CHAIRMAN TRUESDELL confirmed with MR. AZARIA that the site is 600 feet deep. He questioned whether there was enough turning radius for delivery trucks. GINA VENGLASS, Public Works Department, indicated the area did look very tight; however, staff does not generally review that far onto the site. CHAIRMAN TRUESDELL acknowledged that fact but felt because it is a dead end development, delivery trucks could get trapped back there. MARGO WHEELER, Director, Planning and Development, indicated a condition could be added stating the applicant must submit a specific turn-around plan for approval of the City Traffic Engineer. MR. AZARIA agreed to modify the plan if necessary to accommodate such a turn around area.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:53 – 11:57)

4-2533

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
2. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 01/18/05, except as amended by conditions herein.
3. A Waiver of the foundation landscaping standard is hereby approved.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum six-foot solid wall along the north property line abutting the single-family residential development. The wall height shall be measured from the finished grade of the property enclosed by the wall.
5. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 83 – SDR-5774

CONDITIONS – Continued:

addition of two 24-inch box trees in the end row planters on the west edge of the parking lot; replacement of deciduous trees abutting residential development with evergreen trees; a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters; and a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). We note that sidewalks along Rancho Drive are not shown on this site plan but shall be shown on the improvement drawings and constructed as part of the half street improvement.
13. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 83 – SDR-5774

CONDITIONS – Continued:

14. Construct sidewalk on at least one side of the access drive connecting this site to the adjacent public street concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall also receive approval from the Nevada Department of Transportation.
16. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine an appropriate connection to public sewer for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
17. Landscape and maintain all unimproved right(s)-of-way on Rancho Drive adjacent to this site.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.
19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5780 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CHARTER SCHOOL DEVELOPMENT FOUNDATION - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR PROPOSED ADDITIONS OF 78,181 SQUARE FEET TO EXISTING ELEMENTARY AND MIDDLE SCHOOL BUILDINGS FOR A PROPOSED HIGH SCHOOL on 9.38 acres adjacent to the southwest corner of Lake Mead Boulevard and "J" Street (APN 139-21-701-003, 139-21-702-001, 002, 003, 004 and 005), C-V (Civic) Zone, Ward 5 (Weekly).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions and deleting Condition 12 – **UNANIMOUS** with **TRUESDELL** abstaining because he sits on the board of a competing private school

To be heard by City Council 2/16/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 84 – SDR-5780

MINUTES – Continued:

MIKE DEL GATTO, 1919 South Jones Boulevard, appeared on behalf of the applicant with BRIAN THOMAS of the Andre Agassi School and concurred to all conditions except Condition 12, which the applicant asked to be removed. MR. DEL GATTO also asked that the item be scheduled for 2/16/2005 City Council instead of 3/02/2005. The school hopes to open in the fall and the extra two weeks would assist in that effort.

MARGO WHEELER, Director, Planning and Development Department, indicated it would be possible to accelerate the item to the 2/16/2005 City Council meeting. GARY LEOBOLD, Planning and Development Department, stated that staff would have no problem with the deletion of Condition 12 because the condition is more appropriate to a tentative map with common lots.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:57 – 12:00)

4-2696

CONDITIONS:

Planning and Development

1. Expiration of this Site Development Plan Review two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development being in conformance with the site plan, landscape plan, and building elevations date stamped 12/14/04, except as amended by conditions herein.
3. All development being in conformance with the site plan, landscape plan, and building elevations of previous Site Development Plan Reviews [Z-0072-00(1) and Z-0072-00(2)].
4. Landscaping and a permanent underground sprinkler system being installed and permanently maintained in a satisfactory manner.
5. All mechanical equipment, air conditioners and trash areas being fully screened in views from the abutting streets.
6. Parking lot lighting standards being no more than 20 feet in height and utilizing ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from and shall not create fugitive lighting on adjacent residential property.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 84 – SDR-5780

CONDITIONS – Continued:

7. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.
8. Any property line wall being a decorative block wall, with at least 20 percent contrasting materials. The walls shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, being installed and functioning prior to construction of any combustible structures.
10. All City code requirements and design standards of all City departments being satisfied.
11. No turf being placed in the non-recreational common areas, such as medians and amenity zones in this development.
12. The developer adopting a plan for the maintenance of infrastructure improvements prior to the issuance of a building permit. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 84 – SDR-5780

CONDITIONS – Continued:

Public Works

13. Removal of all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first, for the proposed high school portion of the project. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. An update to the previously approved Traffic Impact Analysis being submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for the proposed high school portion of this project. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
16. Site development compiling with all applicable conditions of approval for Z-0072-00 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5782 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TRACIE J. LOCKETT-GREEN - Request for a Site Development Plan Review FOR PROPOSED CONVERSION OF AN 821 SQUARE-FOOT HOUSE TO A PROFESSIONAL OFFICE AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR UNDERGROUND UTILITIES, AND PARKING LOT AND STREETScape LANDSCAPING AND TREATMENTS on 0.17 acres adjacent to the southwest corner of Casino Center Boulevard and Hoover Avenue (APN 139-34-410-032), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance to 2/10/2005 Planning Commission meeting.

NOTE: VICE CHAIRMAN TRUESDELL indicated that he owns property in the downtown area. The property is not within the notification area and he was comfortable voting on the item.

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 85 – SDR-5782

MINUTES – Continued:

MELVIN GREEN, Melvin Green Architects Limited, 3305 West Spring Mountain Road, Suite 92, appeared on behalf of the applicant, his wife. He explained the intent is to move their businesses and home to the downtown area. To do this, a two-phase project is proposed. CHAIRMAN NIGRO advised MR. GREEN that the Commission could not consider Phase two because it was not included in the current application. MR. GREEN acknowledged that but explained the waivers are requested because the applicant does not want to install the improvements during Phase one and then be required to duplicate the work two years later when Phase two begins.

MARGO WHEELER, Director, Planning and Development Department, confirmed with MR. GREEN that the revised landscaping plan he was showing on the overhead had not been submitted to staff for review. MR. GREEN asked that the application be considered with the originally submitted landscaping plan because he did not want the item held in abeyance. MR. LEOBOLD explained that there were several deficiencies in the plan with respect to setbacks and without reviewing the new plan, he would not know if there were changes to the footprint of the building. MR. GREEN assured everyone that the only change on the plan related to additional landscaping.

VICE CHAIRMAN TRUESDELL thought that it might be in the applicant's best interest to hold the item to allow staff to review the new plan. He voiced concerns over the affects of the extensive waivers if Phase two never came to fruition. CHAIRMAN NIGRO concurred stating the application might find more support if some of the issues were resolved.

GINA VENGLASS, Public Works Department, indicated that the street improvements required by the Downtown Centennial Plan would be completed whether Phase two was initiated or not because of a condition requiring the applicant to sign a Covenant Running with the Land.

MS. WHEELER suggested allowing the applicant and staff two weeks to find some solutions that would allow the Commissioners a comfort level for their decision making on the application.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:00 – 12:14)

4-2850

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5794 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAMB MISSIONARY BAPTIST CHURCH - OWNER: LAMB BOULEVARD BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED EXPANSION OF AN EXISTING CHURCH/HOUSE OF WORSHIP on 2.06 acres at 500 North Lamb Boulevard (APN 140-32-103-003), R-E (Residence Estates) Zone, Ward 3 (Reese).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 3/02/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

STEVE SWANTON, Planning & Development Department, gave a brief overview of the application.

LENDALL MAINS, 3930 East Patrick Lane, Suite 1, appeared on behalf of the applicant and discussed conditions the applicant was questioning. MR. SWANTON explained to the applicant that Condition 5 only required that the trail be shown on the Site plan because the applicant is dedicating 30 feet of land for the trail and it would not be on the subject property after that dedication.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 86 – SDR-5794

MINUTES – Continued:

MARGO WHEELER, Director, Planning & Development Department, clarified that the language in Condition 12 would not require the applicant to tear down existing walls to rebuild a decorative wall. The Condition would apply to new walls the applicant might construct.

The applicant was able to concur with all conditions after the clarification was made.

CHAIRMAN NIGRO declared the Public Hearing closed.
(12:14 – 12:21)
4-3664

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
2. A separate Site Development Plan Review is required for Phase 3 of the church expansion as indicated on the site plan.
3. All development shall be in conformance with the site plan and building elevations date stamped 01/07/05, except as amended by conditions herein.
4. The proposed modular building shall be reviewed in three years, at which time the Planning Commission or City Council may require its removal.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a 20-foot Multi-Use Transportation Trail designed to conform to the Las Vegas 2020 Master Plan Transportation Trails Element along the southern edge of the subject site adjacent to the Cedar Avenue Flood Channel.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box trees spaced a maximum of 20 feet on center in the existing planter along Lamb Boulevard; an eight-foot wide planter along the north property line; an additional two 24-inch box trees in the parking area, and a minimum of four (4) five-gallon shrubs and four (4) one-gallon shrubs for each 24-inch box tree within provided planters along the perimeters and in the parking area.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 86 – SDR-5794

CONDITIONS – Continued:

7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Turfed areas, if included, shall not exceed a maximum of 25% of the total front yard area.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate 30 feet of drainage right-of-way adjacent to this site for the Cedar Avenue Flood Channel prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in an approved Drainage Plan and Technical Drainage Study.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. All proposed driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 86 – SDR-5794

CONDITIONS – Continued:

16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
17. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5801 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: BUREAU OF LAND MANAGEMENT AND CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED HIGH SCHOOL adjacent to the north side of Tropical Parkway, approximately 1000 feet east of Durango Drive (APN 125-28-201-004), T-C (Town Center) Zone [PF-TC (Public Facilities-Town Center) Land Use Designation], Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions and amending the following condition:

3. The site plan being revised and approved by staff of the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the design details of an approved landscape plan, conditions of the Town Center Development Standards and other Title 19 design standards, and the following corrections of deficiencies and discrepancies:
 - The location and design details of a required multi-use transportation trail along a portion of Tropical Parkway, meeting the requirements of the Master Plan Transportation Trails Element.
 - The parking areas fully dimensioned and illustrating the provision of 24 handicapped parking spaces.
 - No direct access shown or provided to Durango Drive.

– UNANIMOUS

This is Final Action

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 87 – SDR-5801

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, gave a brief overview of the application.

CAROL BAILEY, Clark County School District appeared with MARK McGINTY of Swisher Hall and requested that the third bullet in Condition 3 be deleted. MR. LEOBOLD indicated that staff would support that deletion.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:21 – 12:23)

5-242

CONDITIONS:

Planning and Development

1. Expiration of this Site Development Plan Review two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development being in conformance with the site plan, landscape plan, and building elevations, except as amended by conditions herein.
3. The site plan being revised and approved by staff of the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the design details of an approved landscape plan, conditions of the Town Center Development Standards and other Title 19 design standards, and the following corrections of deficiencies and discrepancies:
 - The location and design details of a required multi-use transportation trail along a portion of Tropical Parkway, meeting the requirements of the Master Plan Transportation Trails Element.
 - The parking areas fully dimensioned and illustrating the provision of 24 handicapped parking spaces.
 - The designation of parking spaces for the proposed park to be located west of the proposed school. Appropriate signage shall be erected to so indicate their location to the public.
 - No direct access shown or provided to Durango Drive.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 87 – SDR-5801

CONDITIONS:

4. The landscape plan being submitted and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to comply with the landscape provisions of the Town Center Development Standards and Title 19 design standards.
5. The elevation drawings being submitted and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit.
6. Landscaping and a permanent underground sprinkler system being installed and permanently maintained in a satisfactory manner.
7. All mechanical equipment, air conditioners and trash areas being fully screened in views from the abutting streets.
8. Parking lot lighting standards being no more than 20 feet in height and utilizing 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from and shall not create fugitive lighting on adjacent residential property.
9. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.
10. Any property line wall being a decorative block wall, with at least 20 percent contrasting materials. The walls shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, being installed and functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments being satisfied.
13. No turf being placed in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 87 – SDR-5801

CONDITIONS – Continued:

14. The developer adopting a plan for the maintenance of infrastructure improvements prior to approval of any final map. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance or privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

15. Dedicate 45 feet of right-of-way adjacent to this site for Tropical Parkway prior to the issuance of any permits.
16. Construct half-street improvements including appropriate overpaving (if legally able) on Tropical Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Coordinate with the City Surveyor to determine whether a Parcel Map or other Mapping is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 87 – SDR-5801

CONDITIONS – Continued:

19. Extend public sewer to west edge of development in Tropical Parkway.
20. Landscape and maintain all unimproved rights-of-way adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
22. Driveways shall being designed, located and constructed in accordance with Standard Drawing #222A.
23. A Drainage Plan and Technical Drainage Study being submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
24. A Traffic Impact Analysis being submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the

PLANNING COMMISSION MEETING OF JANUARY 27, 2005
Planning and Development Department
Item 87 – SDR-5801

CONDITIONS – Continued:

approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

25. The approval of all Public Works related improvements shown on this Site Development Plan Review to be in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5828 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: COMMERCIAL VENTURES, INC. - OWNER: ENCINO EXECUTIVE CENTER, LLC AND 16207 VENTURA BOULEVARD, LLC - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF AN EXISTING 268-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 12.67 acres adjacent to the southeast corner of Rainbow Boulevard and Peak Drive (APN 138-14-301-001), R-PD18 (Residential Planned Development - 18 Units Per Acre) Zone, Ward 6 (Mack).

C.C.: 03/02/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – STRICKEN – UNANIMOUS

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Planning and Development, stated that the applicant advised staff that the Site Plan was noticed in error. The application is for a larger project with 280 units, so staff will have to do a renotification. At this time, staff requested the item be stricken. BILL CHILDS, 2001 S. Rainbow Boulevard, Las Vegas, NV, concurred with staff's request to strike the item.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:48 – 8:50)

2-2122

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

DIR-5833 – DIRECTOR’S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and Possible Action to approve the Preliminary Plan for the selection of additional Redevelopment area and finding of compatibility with the City of Las Vegas Master Plan, pursuant to NRS 279.570.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends this item be STRICKEN from the agenda.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter – Not Applicable

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 20 [GPA-5820], Item 42 [GPA-5814], Item 43 [ZON-5816], Item 44 [VAR-5819] and Item 45 [SDR-5815] to 2/10/2005 Planning Commission meeting; Item 28 [GPA-5762], Item 29 [ZON-5765], Item 30 [GPA-5775], Item 31 [ZON-5776], Item 32 [VAR-5846], Item 33 [SDR-5778], Item 52 [MOD-5784], Item 53 [ZON-5785], Item 54 [VAR-5786], Item 55 [VAR-5792], Item 56 [SDR-5781], Item 58 [ZON-5769] and Item 59 [SDR-5770] to 2/24/2005 Planning Commission meeting; **STRIKE** Item 16 [GPA-5266] and Item 89 [DIR-5833]; and **WITHDRAW WITHOUT PREJUDICE** Item 46 [GPA-5818], Item 47 [ZON-5824], Item 48 [ZON-5909], Item 70 [SUP-5783], Item 71 [SDR-5779] and Item 73 [SUP-5740] – **UNANIMOUS**

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:11)



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: JANUARY 27, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None

MEETING ADJOURNED AT 12:24 P.M.

Respectfully submitted:

ARLENE COLEMAN, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK